

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64900 of 2025**

Arising Out of PS. Case No.-1 Year-2025 Thana- KALYANPUR District- East Champaran

Dharmendra Kumar @ Dhirendra Kumar S/O Bhuneshwar Rai R/O Vill.-
Pipra Khem, P.S.- Klayanpur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kalyanpur P.S. Case No. 01 of 2025 registered for the alleged offences under Sections 336(3), 332, 340(2), 318(4), 319(2), 317(3), 317(4) and 3(5) of B.N.S. and Sections 25(1-B)a/26/35 of the Arms Act.

3. As per prosecution case, during checking of vehicle, a vehicle on which the petitioner and other-accused persons were travelling was intercepted and on search of the petitioner, recovery of a country made katta with one live cartridge was made. Further, recovery of firearms and ammunitions were made from other co-accused persons. On query by the police, it was disclosed by the petitioner and other co-accused persons that they were involved in loot and robbery



and the vehicle in which they were travelling was also a looted vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner is a mechanic of tyre puncture and he was taken by co-accused Nitesh Kumar for repairing of tyre of a vehicle. Meanwhile, police came and surrounded them. The petitioner was not involved in loot of the vehicle and the recovery is planted. The procedure of search and seizure was not followed by the police. The petitioner is in custody since 02.01.2025 and charge sheet has been submitted. The petitioner is having clean antecedent. Learned counsel further submits that a number of co-accused persons have been granted bail by different Co-ordinate Benches vide orders dated 05.05.2025, 19.05.2025, 21.05.2025 and 27.05.2025 passed in Cr. Misc. Nos. 25357 of 2025, 30187 of 2025, 32610 of 2025, 33426 of 2025 and 35676 of 2025, respectively and the case of the petitioner is similarly placed.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned Court in connection with Kalyanpur P.S. Case No. 01 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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