

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80822 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- HASANPUR District- Samastipur

Dharmendra Kumar @ Harmendra Kumar S/o Yadu Mahto, R/o Village -
Goha, Ward No. 4, P.S.- Hasanpur, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Kunwar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-12-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Hasanpur P.S. Case No. 42 of 2025 dated 17.03.2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 305 and 308(3) read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, petitioner and other co-accused persons came to the shop of the informant and co-accused demanded rupees ten thousand as extortion money on gun-point from the informant. When the informant refused, at the instigation of this petitioner, other co-accused persons assaulted him with iron-rod causing fracture of his head and right hand. Other co-accused persons also assaulted the informant with butt of the pistol. Co-accused took away rupees



fifteen thousand from the cashbox and a number of ornaments worth rupees one lakh were also taken away by them.

4. Learned counsel appearing on behalf of the petitioner submits that there is no specific allegation of assault against the petitioner and the allegation of assault is against other co-accused persons. The only allegation against the petitioner is of instigating the other co-accused persons. There is no cogent material against the petitioner to show his involvement. Learned counsel lastly submits that petitioner is having clean antecedent and is in custody since 07.09.2025.

5. Learned A.P.P. appearing on behalf of the State 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 fact that there is no allegation of any specific overt act against this petitioner and further considering his clean antecedent and his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Rosera, Samastipur / concerned Court, in connection with **Hasanpur P.S. Case No. 42 of 2025**, subject to



the condition laid down under Section 480(3) of the B.N.S.S.
and other 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, if so required by the learned trial Court.*
- (iii) In case of non-appearance of the petitioner on single date 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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