

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84014 of 2024

Arising Out of PS. Case No.-519 Year-2024 Thana- DHANARUA District- Patna

1. Dipu Kumar @ Deepu Kumar Son of Shyam Nandan Prasad @ Bhagat Jee Resident of Village- Sasirana Chak, P.S.- Dhanarua, District - Patna
2. Deepak Kumar Son of Shyam Nandan Prasad @ Bhagat Jee Resident of Village- Sasirana Chak, P.S.- Dhanarua, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate Mr. Saroj Kumar Choudhary, Advocate
For the Informant/s	:	Mr. Pramod Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-02-2025 Heard learned counsel for the petitioners; learned counsel for the informant Mr. Pramod Kumar Yadav and learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 126(2), 118(1)(2), 109(1), 103(1), 325, 3(5) of the BNS and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant along with his father Nawal Prasad and Munna Prasad were returning with their Buffalo at about 06:30 pm, as they reached near Sewti School, four persons on two bikes arrived. On one bike, there



was Bobby and Bipul and on second bike there was Rakesh Kumar and one unknown miscreant who has covered his face with *Gamcha*. It is also alleged that Rakesh Kumar fired at the temple of the informant's father after this Bobby and Bipul assaulted with *knife* on the thigh. It is further alleged that Rakesh again fired and Bipul also fired at Munna (the uncle of the informant) which hit the buffalo, which also died. The informant and his uncle escaped anyhow.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent. It is also submitted that the name of these petitioners have surfaced in the confessional statement of one Bhola. From the perusal of the FIR, it is clear that there are two eye witnesses of the occurrence one is Rahul and second is Munna, both the eye witnesses have not named these petitioners. The name has surfaced only in confessional statement. It is further submitted that the petitioners are languishing in judicial custody since 13.09.2024.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Dhanarua P.S. Case No. 519 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-I, Masaurhi in B.P. No. 318 of 2024 in connection with Dhanarua P.S. Case No. 519 of 2024.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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