

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88658 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- GURUA District- Gaya

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Dharmendra Yadav S/O- Janak Yadav Village- Baiju Bigha Ps- Gurua Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Gurua P.S. Case No. 190 of 2024 instituted for the offence under Sections 147, 148, 149, 341, 326, 307, 385 & 427 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case in a nutshell is that while the informant was erecting a boundary wall, petitioner and 10-12 other co-accused persons arrived on six bikes, demanded ₹50,000 and demolished the wall. When the informant protested, petitioner fired, due to which tractor driver got injured. The accused fled after threatening to kill the informant's family if the money was not paid.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09-06-2024. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is land dispute bearing Title Suit No. 855 of 2014 between the parties and nothing has happened as alleged in the FIR. It is submitted that though there is allegation of firing against the petitioner, but there is no fire arm injury caused, which fact is evident from the injury report. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that paragraph No.3 of the case diary is the confessional statement of the petitioner, wherein he has confessed his guilt. Moreover, there is direct allegation of firing attributed upon his, hence, he does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner and charge sheet being



submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Gurua P.S. Case No. 190 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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