

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37505 of 2026

Arising Out of PS. Case No.-121 Year-2018 Thana- SHAHPUR PATORI District- Samastipur

Dharmendra Rai @ Dharmendra Gop @ Dharmendra Ray Son of Late
Abilakh Rai @ Abhilakh Rai @ Awlakh Rai Resident of Village- Khapura,
P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr. Rudal Singh, learned counsel for the

petitioner and Ms. Gulnar Begum, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
24.01.2023 in connection with S.Tr. No. 359 of 2024 arising out
of Patori P.S. Case No. 121 of 2018, F.I.R. dated 02.05.2018
registered for the offence punishable under Sections 394 of IPC
and charged have been framed under Section 395, 397, 120-B of
the IPC.

3. According to the F.I.R., on the date of occurrence,
the informant and Avinash Jha were returning home on separate
motorcycles when four armed criminals intercepted them by
colliding with Avinash Jha's motorcycle. The accused allegedly



misbehaved with Avinash Jha, snatched his bag, and opened fire. Thereafter, they approached the informant at gunpoint and allegedly robbed ₹37,000 and his black Passion Pro motorcycle (Reg. No. BR33G9256). The criminals fled while continuously firing towards Bande Pokhar. On hearing the gunshots, local people gathered and managed to apprehend one accused, Ravindra Sahni. During the incident, one person sustained a bullet injury. The case records indicate that the allegations against the petitioner are serious and specific in nature.

4. Learned counsel for the petitioner submits that initially the petitioner was not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Ravindra Shani and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and till date no TIP has been conducted by the prosecution and the petitioner is in custody since 24.01.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that although, the name of the petitioner has been transpired during



investigation on the basis of the confessional statement of co-accused person, namely, Ravindra Shani but, the petitioner carries thirty-two more cases other than the present one but fairly submits that out of thirty-two cases, the petitioner is on bail in ten cases, and rest twenty-two cases are pending for consideration before the competent Court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, nothing has been recovered from conscious possession of the petitioner, till date no TIP has been conducted by the prosecution and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Samastipur in connection with S.Tr. No. 359 of 2024 arising out of Patori P.S. Case No. 121 of 2018, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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