

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44637 of 2026

Arising Out of PS. Case No.-123 Year-2026 Thana- DURGAWATI District- Kaimur (Bhabua)

Dharmendra Pal @ Dharmendra Ku. Pal S/o Chhatu Pal Resident of Village -
Savath, P.S. - Durgawati, District - Kaimur, Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Durgawati P.S. Case No.123 of 2026, dated 12.04.2026, registered for the offence punishable under Sections 126(2), 115(2), 303(2), 118(1), 109(1), 117(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, the allegation is that the petitioner, along with the other co-accused persons, assaulted the informant and others, causing head and other bodily injuries with the intention to cause death. The alleged occurrence is stated to have arisen out of a land dispute.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



present case. It is submitted that there is a delay of four days in lodging the instant FIR, for which no explanation has been given. It is further submitted that the allegations are general and omnibus in nature and no specific overt act has been attributed to the petitioner. Learned counsel further submits that although one of the injuries has been found to be grievous in nature, the same is not on a vital part of the body. It is also submitted that on the same and similar allegations, four co-accused persons have already been granted bail by a Coordinate Bench of this Court vide order dated 29.06.2026 passed in Cr. Misc. No. 41199 of 2026. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and taking into account that similarly situated co-accused persons have already been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate-1st Class, Mohania, Kaimur/Successor Court in connection with Durgawati P.S. Case No.123 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

- (i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;
- (ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;
- (iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;
- (iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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