

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90525 of 2025

Arising Out of PS. Case No.-61 Year-2021 Thana- BIHTA District- Patna

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DINESH SINGH S/O Late Ram Babu Singh R/o vill - Babhanlai, P.S.- Bihta,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 504, 307 and 506/34 of the Indian Penal Code. Later on, Section 302 of the Indian Penal Code was also added.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that the accused persons including the petitioner came and assaulted him by Lathi, Danda and rod causing injury on head and when his son came to save him, he was also assaulted.

4. Learned counsel for the petitioner submits that from perusal of the allegations, as alleged in the FIR, it would manifest that the FIR came to be instituted after three days of



the occurrence and the informant died during the course of treatment. It is further submitted that informant was an old man and he died his natural death on account of cardiac failure and the assault was not the proximate cause of his death. It is further submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent and thus submitted final form exonerating him of the allegations but then the learned Magistrate differing with the police report took cognizance, as such, the petitioner apprehends his arrest. It is next submitted that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent, whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report exonerating the petitioner of the allegations.

5. Learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, let petitioner, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 trial court where the case is pending/Successor Court in connection with Bihta P.S. Case No.61 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

Sanjay/-

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