IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48651 of 2026

Arising Out of PS. Case No.-240 Year-2023 Thana- IMAMGANJ District- Gaya

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Dipu Kumar @ Dipu Kumar Chandravanshi S/o Ashok Singh R/o Village- Karmoun, PS- Imamganj, Dist- Gaya

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vijay Kumar, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

3 21-08-2026 Heard the learned counsel appearing on behalf of the petitioner and the learned APP appearing on behalf of the State.

2. The petitioner seeks regular bail in connection with Imamganj P.S. Case No. 240 of 2023, registered for the offense under Sections 147, 148, 149, 341, 323, 324, 354(B), 307, 504 and 506 of the I.P.C. and Section 27 of Arms Act.

3. As per the prosecution case, petitioner and other co-accused persons, who were armed with sword, iron rod, hockey stick and knife, entered into the house of the informant. The petitioner and co-accused Raushan Kumar drew out pistol and threatened the informant and his brother and other co-accused persons also misbehaved with the wife and the sister-in-law of

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the informant and tore their clothes. Thereafter, the petitioner other co-accused persons, on gun point, took out the informant and his brother outside their house where they were assaulted causing a number of injuries to them. Co-accused persons also assaulted the informant and his family members.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No occurrence, as alleged, has ever taken place. It is further submitted that the alleged occurrence took place on 02.09.2023 at about 09:00 P.M., whereas the FIR was lodged on 04.09.2023 at about 06:30 P.M. There is an inordinate delay in lodging the FIR, which has not been satisfactorily explained by the informant. Learned counsel further submits that the police have submitted the charge-sheet and have not found the case to be true against the petitioner under Section 354(B) of the I.P.C. and Section 27 of the Arms Act. It is further submitted that, as per the injury report of the informant, he had sustained simple injuries. However, as per the medical report, Subodh Kumar had sustained grievous injuries. Learned counsel further submits that, as per the medical report, Nitish Ranjan Kumar had sustained a fracture of the left zygomatic bone, whereas the allegation in the FIR is that the

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petitioner assaulted him with a sword. Thus, there is a contradiction between the allegations made in the FIR and the medical evidence. Learned counsel further submits that the petitioner has two criminal antecedents, in both of which he is presently on bail. The petitioner has been in judicial custody since 19.02.2026. One co-accused has already been granted bail, for the same offense, by Co-ordinate Bench of this Court vide order dated 02.09.2025 passed in Cr. Misc. No. 32522 of 2025. In view of the aforesaid facts and circumstances, learned counsel submits that the petitioner deserves to be enlarged on bail.

5. Per Contra, the learned APP for the State vehemently opposed the prayer for grant of regular bail and submitted that the petitioner along with co-accused Dharmendra Sao brutally assaulted the informant and his family members due to which, Nitish Ranjan Kumar (informant's brother) had sustained grievous injuries.

6. Considering the aforesaid facts and circumstances of the case and also the fact that the police have submitted the charge-sheet and have not found the case to be true against the petitioner under Section 354(B) of the I.P.C. and Section 27 of the Arms Act also the fact that one co-accused has already been

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granted bail, for the same offense, by Co-ordinate Bench of this Court vide order dated 02.09.2025 passed in Cr. Misc. No. 32522 of 2025 as well as considering the period of custody, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount to the satisfaction of the learned Judicial Magistrate 1st Class, Sherghati at Gaya Ji in connection with Imamganj P.S. Case No. 240 of 2023, subject to 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 absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witness, 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 antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the

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acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Girijish Kumar, J)

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