

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19969 of 2017

Arising Out of PS.Case No. -66 Year- 2013 Thana -SAHODARA District-
WESTCHAMPARAN(BETTIAH)

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1. Dharmendra Kumar Rahi Son of Awadh Prasad, R/o Village- Doiya,
P.S.- Noorsarai, District- Nalanda at present Bara Post Office, Ujjain Tola,
P.S.- Bettiah Nagar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Informant : Mr. Brij Kishore Mishra

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sahodra
P.S.Case No.66 of 2013 registered for offences punishable under
Sections 302 & 379/34 of the Indian Penal Code.

Petitioner is named in the F.I.R. and it appears that earlier
the petitioner had been granted anticipatory bail by this Court with
a condition that if the charge-sheet is submitted against him, he
will surrender and make prayer for regular bail.

It is submitted on behalf of the petitioner that now the
charge-sheet has been submitted in this case but nothing new has
come forward in the case diary and the petitioner has been falsely
implicated in this case only on the basis of suspicion and apart
from that there is nothing against him in the case diary. He is in
custody since 11.3.2017.

Heard learned A.P.P. and learned counsel for the informant.



It is submitted on behalf of the learned counsel for the informant that during the course of investigation, it has come that there was land dispute with regard to money lending between the parties, apart from that there is no any new evidence against the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, as well as the fact that except suspicion there is nothing against the petitioner, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-V, Bettiah, West Champaran in connection with Sahodra P.S.Case No.66 of 2013.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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