

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30022 of 2017

Arising Out of PS.Case No. -341 Year- 2016 Thana -BUDDHACOLONY District- PATNA

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Dharmendra Kumar son of Laldhari Ram, resident of Mohalla-
Chandanpatti, Police Station- Sakra, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rabi Bhushan, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 10-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.12.2016 in connection with Sessions Trial No. 188 of 2017 arising out of Budha Colony P.S. Case No. 341 of 2016 for the offences alleged under Sections 363, 365 and later added Sections 364, 302, 201 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the F.I.R. is against unknown persons. Petitioner's name has transpired only on the statement of one Dilip Rai who is a hearsay witness to the effect that the petitioner had strangled the deceased.

4. A perusal of the post mortem report however discloses that the cause of death was due to drowning.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Additional Sessions Judge-X, Patna, in connection with Sessions Trial No. 188 of 2017 arising out of Budha Colony P.S. Case No. 341 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

Md. Ibrarul/Chandran

(Vikash Jain, J)

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