

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20433 of 2019**

Arising Out of PS. Case No.-65 Year-2018 Thana- KALYANPUR District- East Champaran

Dharmendra Singh, aged about 34 years, (Male), Son of Ram Paras Singh,
Resident of Village - Andhara Chhapra, P.S.- Kalyanpur, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 65 of 2018 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

The prosecution case as per fardbayan of Sangita Devi
is that on 30.04.2018 at about 3.30 A.M., the petitioner came to
her house and forcefully took the informant's husband along
with him. In the morning, the informant came to know about
murder of her husband.

Learned counsel for the petitioner has submitted that
there is no eye witness on the alleged incident. Nothing has been



found in the inquiry by Dy.S.P. Petitioner is in jail since 19.10.2018. The name of the petitioner has come in paragraph-45 of the case diary. Learned counsel for the petitioner has further submitted that in paragraph-45 of the case diary, there is land encroachment case between the petitioner and the witness.

It is further submitted that there is no specific allegation against the petitioner. The petitioner is innocent and has been falsely implicated in this case.

In 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 the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 65 of 2018, subject to the following conditions :

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to move the
learned Court below for cancellation of his bail bonds.

(Anjani Kumar Sharan, J)

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