

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44446 of 2019

Arising Out of PS. Case No.-576 Year-2018 Thana- ALAMGANJ District- Patna

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Dharmendra Kumar @ Chhotu @ Oliya Son of Sri Ashok Kumar @ Ashok Sumit Resident of Mohalla - Kajipur, Nayatola, Bankipore, P.S.- Pribahor, District- Patna. Presently Residing at Purvi Lohanipur, C/O- Manoj Rai, P.S.- Kadamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302, 201 of the Indian Penal Code.

Prosecution case, in short, is that while the informant
along with police forces was on patrolling duty, he received
information that an unknown half burnt dead body of male
person is lying in western tunnel of N.M.C.H. When he reached
there, he found that half burnt dead body of 24 years lying in
front of western side of constructing house of Arvind Prasad.
There was mark of piercing knife in the chest and stomach of
dead body. The people, who were present at the spot, did not
identify the dead body.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.01.2018 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has transpired in the present case on confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest his implication in the present case. Neither there is any eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI, Patna city, Patna in connection with Alamganj P.S. case No.576 of 2018.

Narendra/-

(Sudhir Singh, J)

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