

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54821 of 2019

Arising Out of PS. Case No.-146 Year-2019 Thana- BIHPUR District- Bhagalpur

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DHARO SINGH @ DHARWA Son of Gholti Singh Resident of Village-
Jamaldipur, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-11-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 21.6.2019 in a case registered for the offences punishable under Sections 394 and 302 of the I.P.C. Subsequently, Section 397 IPC and Section 27 of the Arms Act were added.

The prosecution case is that on 12.5.2019, the informant went to attend a Tilak ceremony and while returning, as soon as he reached near Sharma Dhaba, four motorcycle borne miscreants came and fired upon Ranjan Roy, who subsequently succumbed to the injury, leading to registration of FIR against unknown. During investigation, the Chowkidar suggested that the petitioner is a person of having criminal antecedent, who was found roaming near the place of alleged occurrence.

It is submitted by learned counsel for the petitioner that



the petitioner has maliciously been roped in the present case. There is no recovery from possession of the petitioner. It is further submitted that inspite of the fact that the informant claimed to have identified the accused, the petitioner has not been put on Test Identification Parade. Statement to that effect has been made in paragraph 12 of the petition. The petitioner is accused in nine other cases but it is further submitted that he has been acquitted in one case and in rest other cases, he is on bail.

Learned APP submits that the chowkidar has raised suspicion against the petitioner.

Considering the suspicious nature of accusation, the fact that investigation has already been concluded and the period in custody, 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 the learned ACJM Ist, Naugachhia in connection with Bihpur P.S. Case No. 146 of 2019.

(Dinesh Kumar Singh, J)

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