

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17773 of 2020**

Arising Out of PS. Case No.-269 Year-2019 Thana- MADANPUR District- Aurangabad

Dharmendra Thakur @ Chhotu, (Male), Son of Timal Thakur, Resident of
village – Pranpur, P.S. - Madanpur, District – Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Leelawati Kumari, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P. Incharge

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 26-08-2020 Heard Learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. Incharge as Mr. Ajay Kumar,
learned A.P.P. has not appeared.

Petitioner, in the present case, is seeking regular bail
in connection with Madanpur P.S. Case No. 269/2019 registered
for the offence under Section 302, 201, 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that seven
persons have been named in this case on mere suspicion after
the dead body of the uncle of the informant was found near
river. The brother of the deceased has made statement in course
of investigation that the deceased had left his village with one
Lalan Ravidas for village Pranpur, later on his dead boyd was
recovered. The petitioner has no criminal antecedent, he is in



custody since 19.12.2020 and in course of investigation no witness has come to say that he had ever seen this petitioner with the deceased or near the place of occurrence.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but on noticing the submissions and after going through the case diary this court has noticed that so far as this petitioner is concerned no witness has come to make allegation that he had ever seen this petitioner with the deceased and/or near the said river from where the dead body was recovered. The petitioner is said to have no criminal antecedent and is in custody since 19.12.2020, investigation against him is complete, thus his further incarceration in custody is not likely to come in aid of investigation or help the prosecution, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar), in connection with Madanpur P.S. Case No. 269/2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

