

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21320 of 2020

Arising Out of PS. Case No.-103 Year-2020 Thana- KORHA District- Katihar

DINESH SHARMA Son of Bachu Sharma Resident of Village- Dilarpur, P.S.-
Manihari, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Ms. Anita Kumari Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Korha P.S. Case No. 103 of 2020 for the offence punishable under Sections 302/34 of the Indian Penal Code.

The case of the prosecution in brief is that in the night of 24.02.2020, the deceased mother of the informant is alleged to have been killed by the petitioner when she had gone to meet him. It is further alleged that the mother of the informant did not return in the light and on the next day morning, the informant came to know that her mother has been



killed.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 27.02.2020. It is further submitted that the petitioner has been falsely implicated in the present case merely on the basis of suspicion and is willing to abide by such conditions as may be deemed fit and proper to be imposed for the purposes of grant of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case dairy, this Court is of the view that though benefit of doubt can be given to the petitioner for the purposes of grant of regular bail, however, since the investigation is still going on, it would be appropriate impose certain conditions.

Accordingly, the petitioner, above named, is directed to 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 learned C.J.M., Katihar in connection with



Korha P.S. Case No. 103 of 2020.

It is further directed that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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