

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23788 of 2020**

Arising Out of PS. Case No.-45 Year-2019 Thana- SAKSOHRA District- Patna

1. DINESH DHADHI @ DINESH RAM Son of Tanik Dhadhi Resident of Village-Kirtichak, P.S.-Bhadaur, District-Patna.
2. Shiv Kumar Dhadhi @ Shiv Kumar Ram Son of Tanik Dhadhi Resident of Village-Kirtichak, P.S.-Bhadaur, District-Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      08-10-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioners and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners apprehend arrest in Saksohra PS Case No. 45 of 2019 registered under Sections 147, 149, 341, 323, 302 and 201 of the IPC.

Recovery of the dead body of informant's son is the reason for lodging of the case. It is alleged that earlier he had gone to perform work at petitioners' house.

Learned Counsel for the petitioners submits that other



than circumstantial suspicion there is nothing to implicate the petitioners in the instant case. In the investigation it has come that the victim was last seen moving on motorcycle with co-accused Pawan Kumar who has since been allowed anticipatory bail in Cr. Misc. No. 15250 of 2020. Other four co-accused persons have already been allowed anticipatory bail in Cr. Misc. No. 14997 of 2020 though they were also having criminal antecedent like the one disclosed by the petitioner in para 3 of the bail application. There is no eye witness of the occurrence and beyond suspicion there is nothing to sustain petitioner's implication.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, let the petitioners above named, in the event of arrest or surrender before the court below within four weeks from today, 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 Judicial Magistrate, 1st Class, Barh at Patna in Saksohra PS Case No. 45 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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