

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26902 of 2020

Arising Out of PS. Case No.-210 Year-2019 Thana- PURAINI District- Madhepura

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Dhaneshwar Singh, aged about 74 Years, Male, Son of Late Basant Singh,
Resident of Village - Ambhobosa, Police Station - Puraini, District -
Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 14-12-2020 Heard Mr. Uday Chand Prasad, learned counsel for

the petitioner and Mrs. Suman Kumari Singh, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Puraini P.S. Case No. 210 of 2019 registered for the offence
under Section 302 / 120 (B) / 34 of the I.P.C.

The allegation as per the First Information Report is
that on 22.12.2019 when the husband of the informant was
coming from market the petitioner along with other accused
persons surrounded him and killed him by means of “Dabia”
(sharp cutting weapon). The informant has also alleged that five
days ago there was a dispute between the petitioner and her
husband for a bicycle.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated by the informant due to oblique motive. Learned counsel further submits that as per the FIR the dead body was found in the bamboo clump on the next date i.e. on 23.12.2019. The FIR has been lodged after an unexplained delay of two days by the informant on 25.12.2019 falsely implicating the petitioner. Learned counsel further submits that there is no eye witness to the occurrence and only the confessional statement of the petitioner has allegedly been recorded by the Police. Learned counsel further submits that the petitioner is 74 years old and is having no criminal antecedent and he is in custody since 14.01.2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record , I am inclined to grant regular bail to the petitioner **upon completion of one year in custody.**

Accordingly, let the petitioner, above named, be released on regular bail **upon completion of one year in custody** on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Sri Shiv Kumar, Judicial Magistrate -1st Class,



Udakishunganj, District- Madhepura / court concerned in connection with Puraini P.S. Case No. 210 of 2019 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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