

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27080 of 2020**

Arising Out of PS. Case No.-150 Year-2019 Thana- PARAIYA District- Gaya

NAGENDRA SHARMA Son of Late Ramjatan Singh Resident of Village -  
Khushdihra, Police Station - Paraiya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      23-12-2020      Heard the learned counsel for the petitioner  
and Mr. Akshay Lal Pandit, the learned APP  
appearing for the State.

This is an application for grant of anticipatory  
bail in connection with Paraiya P.S. Case No. 150 of  
2019 registered for the offence punishable under  
Sections 302, 201, 120(B) and 34 of the Indian  
Penal Code.

The allegation is regarding the accused  
persons having murdered the victim girl, namely,  
Sonam Kumari, on account of her having  
disgraced the accused persons in the society,  
inasmuch as the said Sonam Kumari was having a  
love affair with a boy. The informant, who is  
Dafadar of Circle No. 8 of the village in question,



has also alleged that the main accused person namely, Dharmendra Kumar and other family members including the petitioner herein have killed the victim girl and thrown her dead body in a well and when the same was recovered from there, the accused persons had tried to cremate the body in haste.

The learned counsel for petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is submitted that there is no eye-witness to the alleged occurrence and moreover, no circumstantial evidence has been discovered till date to suggest the participation of the petitioner in the alleged occurrence and the name of the petitioner has been roped in the present case merely on suspicion. It is also submitted that at best, the role of the petitioner in the alleged occurrence has been stated to be that of enabling the other accused persons especially the father of the deceased victim girl, namely, Dharmendar Kumar,



to dispose of her dead body. Lastly, it is submitted that the main accused has already been granted bail by a coordinate Bench of this Court vide order dated 04.11.2020 passed in Criminal Miscellaneous No. 82768 of 2019.

Per contra, the learned APP 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 on record as also those available in the case diary, this Court finds that prima facie minuscule evidence is available in the case diary so as to connect the petitioner with the alleged occurrence and moreover, the co-accused person, namely, Dharmendra Kumar, has already been granted bail by a coordinate Bench of this Court, hence, considering the parity of the case of the petitioner with that of the co-accused person, namely, Dharmendra Kumar, I deem it fit and proper to admit the petitioner to the privilege of



anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Gaya in connection with Paraiya P.S.Case No. 150 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

Ajay/-

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