

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70748 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- MOKAMAH District- Patna

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DINESH PRASAD SINGH Son of Late Geeta Singh Resident of Village-
Sheonar, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr. Anuj Kumar, Adv.
For the Informant	:	Mr. Sanjay Kumar, Adv.
For the State	:	Mr. R.B.Roy 'Raman, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 06-03-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Mokama P.S. Case No. 77 of 2019, disclosing offence punishable under Sections 302, 34 of the Indian Penal Code.

It is the case of the petitioner that he is 80 years old. The nephew of the petitioner is the informant. He has alleged in the FIR that the petitioner brought his wife from his house and made her lay in a cot and thereafter, after sprinkling petrol, set her on fire, whereafter she died.

I have heard Mr. Yogesh Chandra Verma, learned Senior Counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar, learned counsel for the informant.



Mr. Verma, learned Senior Counsel, appearing on behalf of the petitioner, has submitted that allegedly, the entire episode has been captured in a CCTV camera installed by the informant himself in his house, CCTV footage of which has been allegedly provided to the police. He submits that it is evident from the FIR that the informant is the own nephew of the petitioner, who is issueless and that the informant and the petitioner are on litigating terms in relation to land dispute in the family.

Mr. Sanjay Kumar, learned counsel appearing on behalf of the informant has opposed the prayer for bail and has submitted that the police have examined the CCTV footage and they found the case of the prosecution, as disclosed in the First Information Report based on *fardbeyan* of the nephew, to be correct. He has also submitted that the petitioner's age is 70 years and not 80 years, as being claimed by the petitioner.

Be that as it may, considering the admitted fact that the parties are on litigating terms, a case of false implication cannot be ruled out.

This application is accordingly allowed. Let the petitioner, above-named, 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 learned J.M., Barh, Patna
in Mokama P.S. Case No. 77 of 2019.

This is subject to the condition that the petitioner shall
present himself before the Police/ Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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