

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22092 of 2021

Arising Out of PS. Case No.-612 Year-2020 Thana- SONEPUR District- Saran

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DHARMENDRA KUMAR SINGH Son of Om Prakash Singh Resident of
Village - panleza Shahpur, Diyaya, P.S.- Sonpur, Distt.- Chapra (Saran).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 08-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 120B of the Indian Penal Code.

As per the prosecution case, it is stated that over a dispute relating to immovable property in the family, the accused persons used to hurl abuses and were also threatening. It is further stated that at 8.30 pm, the informant was informed by his wife that the petitioner and his wife had killed Mousmi Kumari over property dispute.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that the informant is not an eye-witness to the occurrence. He states that he was given information by his wife. It is further submitted that



from perusal of the statement of the wife of the informant recorded under section 161 Cr.P.C it would transpire that she is also not an eye-witness to the occurrence but is raising a suspicion against this petitioner. The petitioner is in custody since 19.8.2020 and has no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for 1 year and 3 months, the Court directs the petitioner to be enlarged on bail in connection with S.T. no. 41 of 2021 (arising out of Sonpur P.S. Case no. 612 of 202) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Saran, Chapra.

In view of the trial having commenced, it is directed that the petitioner shall co-operate in the trial and in case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may proceed to cancel the bail bond of the



petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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