

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31454 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- AMARPUR District- Banka

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DINESH DAS S/o Late Aghan Das Resident of Village- Mainma, P.S.-
Amarpur, Dist- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 24-09-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302,120B,34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant on 03.05.2020 has alleged in her fardyan that his deceased husband was a barber and used to shave the beards but due to lock-down, he stopped his work but some persons from Mainam village used to come into her house and threatened her husband to shave the beards otherwise he will be killed. Yesterday, at about 7:00 p.m., three persons, namely, Bipin Das, Kalu Das and Sujesh Kumar came and took her husband with them but thereafter he did not return. On next day,

informant came to know that her husband was killed and thereafter she went to the place of occurrence, where she saw the dead body of her husband. Informant suspected that Bipin Das, Sujesh Kumar, Kalu Das, Dinesh Das (petitioner), Bilash Das, Video Das, Jitendra Das, Bhanu Das and Bholi Thakur are involved in killing of her husband.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted that it is clear from FIR that the informant has specifically alleged against Bipin Das, Kalu Das and Sujesh Kumar that they had called her husband and since then he did not return and as far as petitioner is concerned, only on suspicion, his name has surfaced in this case. It is further submitted that there is no eye-witness of the occurrence. Petitioner was remanded on 7.1.2021 and since then he is in custody. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Amarpur P.S. Case No. 214 of 2020 with following conditions:-

(1) Bailors should be local having sufficient

immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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