

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38150 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- OBRA District- Aurangabad

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Dhananjaya Sharma, Son of Late Bharat Sharma, Resident of Village - Pakri,
P.S.- Obra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Obra
P.S. Case No.22 of 2020 registered for the offence punishable
under Sections 302, 201, 34 of the Indian Penal Code.

For immersion of idol, it is alleged that the
informant's husband had gone, whereafter he has not returned
and his dead body was found. The F.I.R. has been lodged in
such circumstances and in the course of investigation, petitioner
has been implicated, as informant has stated that the petitioner
was seen with her husband earlier. Based on such last seen, as
per the submission of the petitioner's counsel, the petitioner is in
custody since 12.02.2021, having no criminal antecedents.

It is submitted that the petitioner has no knowledge



about the manner in which the victim has died, but it is common knowledge that the victim was under some kind of intoxication and it was possible that he may have fallen down and sustained injuries, leading to his death.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad, in connection with Obra P.S. Case No.22 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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