

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28809 of 2020

Arising Out of PS. Case No.-296 Year-2019 Thana- PATEPUR District- Vaishali

=====

DHARMENDRA RAM Son of Chandeshwar Ram Resident of Village -
Salempur Salfani, P.S.- Patepur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.A.G.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2021 Heard the learned counsel for the petitioner
and the learned APP appearing for the State.

This is an application for grant of anticipatory
bail in connection with Patepur P.S.Case No. 296 of
2019 registered for the offence punishable under
Sections 302, 201 and 120(B) of the Indian Penal
Code.

The wife of the deceased is the informant and
on the alleged date and time of occurrence,
altercation had taken place in between the
informant and one Radha Devi, wife of Sukeshwar
Ram, whereafter, the informant had narrated the
said occurrence to her deceased husband,



whereafter, the husband of the informant had gone to inquire about the said occurrence from the said Radha Devi, however, he did not return back and subsequently, his dead body was found lying in the field.

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. The learned counsel for the petitioner has further submitted that the petitioner has been roped in the present case merely on suspicion, however, he has got no complicity in the matter. It is further submitted that the husband of the aforesaid Radha Devi, namely, Sukeshwar Ram, has already been granted the privilege of bail by a coordinate Bench of this Court vide order dated 02.06.2020 passed in Criminal Miscellaneous No. 16153 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail and has submitted that the petitioner was seen at the toddy shop along with the deceased.



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 in the case diary, this Court finds that there is minuscule evidence available on record so as to connect the petitioner with the alleged crime and he appears to have been roped in the present case merely on suspicion, hence, 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-XIV, Vaishali at Hajipur in connection with Patepur P.S.Case No. 296 of 2019, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

