

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14819 of 2022

Arising Out of PS. Case No.-894 Year-2020 Thana- DEHRI TOWN District- Rohtas

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Dhananjay Pandey @ Bittu Pandey @ Bittu Sharma @ Bittu Singh, Son of
Umesh Kumar Pandey Resident of Village- Old Irrigation Colony, P.S.- Dehri
Town, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

Mr. Manoj Kumar, Advocate

For the State : Mr. Satyendra Narayan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 23-08-2022 Heard Mr. Sanjeev Kumar Singh, learned counsel

along with Mr. Manoj Kumar, learned counsel appearing on

behalf of the petitioner and Mr. Satyendra Narayan Singh,

learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the

complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with

Dehri Town P.S. Case No. 894 of 2020, for the offence

punishable under Sections 302,201/34 of the Indian Penal Code.

The allegation against the petitioner is that he along

with others named in the F.I.R. participated in commission of

murder of the son of the informant.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is not named in the F.I.R. and he has been roped in the present on the basis of statement of the mother of one co-accused Kalettar Yadav, who had stated that this petitioner demanded Rs. 5,000/- to disclose whereabouts of the body of the deceased. It is not the case of the prosecution that petitioner was also seen with the deceased. There is no eye-witness of the alleged murder of the son of the informant. The petitioner has clean antecedent and he is in custody since 09.10.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submitted that the mother of the deceased has disclosed the name of the petitioner and on whose disclosure, the body was recovered, as such the petitioner does not deserve to be released on bail.

Having considered the rival submission of the parties, it appears that the petitioner is not named in the F.I.R. In course of investigation, no material has been brought against the petitioner to prima facie hold that it was the petitioner who along with another accused persons named in the F.I.R. committed murder of the son of the informant. On the basis disclosure made by mother of one co-accused Kalekter Yadav the petitioner has been made accused. Prima facie the petitioner



has made out a case to be released on bail.

The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Dehri, Rohtas at Sasaram in connection with Dehri (T) P.S. Case No. 894 of 2020, subject to the 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.

(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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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