

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34756 of 2021**

Arising Out of PS. Case No.-218 Year-2020 Thana- NADI P.S. District- Patna

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DHARMENDRA KUMAR SON OF AJAY ROY @ AJAY RAY Resident of  
Village- Alampur, P.O.- Kachchi Dargah, Police Station- Nadi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                                 |
|--------------------------|---|-------------------------------------------------|
| For the Petitioner/s     | : | Mr. Y. C. Verma, Sr. Adv.<br>Mr. Ram Naresh Ray |
| For the Opposite Party/s | : | Ms. Anita Kumari                                |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      21-03-2022                      Heard learned Senior Counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Nadi Police Station Case No. 218 of 2020, registered for the  
offences punishable under Sections 302/120-B/34 of the Indian  
Penal Code.

The prosecution case, as per the First Information  
Report, is that on 27.12.2020, in the night, at about 10 PM, the  
petitioner, along with co-accused Baiju Kumar, arrived at the  
house of the informant and took his son along with him and in  
the next morning, the dead body of the son of the informant was  
found lying near the National Highway-30.

Learned Senior Counsel for the petitioner submits that



the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. He further submits that during the course of investigation, the police, on the basis of the information given by the local people, has recorded their statement in paragraph 25 of the case diary, and from perusal of the same, it appears that the deceased, along with the petitioner, had consumed liquor and the deceased was hit by a speedy truck on the National Highway-30, due to which he died. He, referring to the post mortem examination report, submits that multiple and lacerated injuries have been found on the body of the deceased, which indicates towards the accidental death of the deceased.

He further submits that co-accused persons have been granted bail vide order, passed in Criminal Misc. No. 27444 of 2021. He further submits that the petitioner is in custody since 03.01.2021, having no criminal antecedent and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the statements recorded by the police during the course of



investigation and the fact that the petitioner is in custody since 03.01.2021, having no criminal antecedent, co-accused persons have been granted bail by this Court and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 6<sup>th</sup> Additional Chief Judicial Magistrate, Patna City, Patna, in connection with Nadi Police Station Case No. 218 of 2020.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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