

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35941 of 2021

Arising Out of PS. Case No.-299 Year-2020 Thana- RAJGIR District- Nalanda

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Dharmendra Chaudhary Vajo Chaudhary @ Mithilesh Chaudhary Resident of
Village - Marksvadi Nagar, Virayatan, P.S.- Rajgir, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-02-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Rajgir P.S. Case No. 299
of 2020, registered for the offence punishable under Sections
302, 379, 34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
three co-accused persons are alleged to have stabbed the
maternal uncle (Mama) of informant, as a result of which he
died during course of treatment.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR and he has falsely been
implicated in this case. No incriminating article has been
recovered from his possession. Petitioner is in custody since
17.09.2020 having no criminal antecedent.



Learned APP however, vehemently opposed the prayer for bail and submitted that during course of investigation the knife which was used in the alleged occurrence was recovered from house of this petitioner.

Considering the fact that knife which was used in the alleged occurrence was recovered from house of this petitioner and in para 132 of case diary it has come that during test identification parade petitioner has been identified by the informant, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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