

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42717 of 2021**

Arising Out of PS. Case No.-73 Year-2020 Thana- ISHIPUR District- Bhagalpur

Dablu Ram Son of Bhagmuni Ram Resident of Village- Daulatpur, P.S.-
Ishipur, Barahat, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 12-01-2022 Heard learned counsel for the petitioner and Shri Anil Kumar learned A.P.P. for the State through virtual Court proceedings.

The petitioner seeks regular bail in connection with S.T. Case No. 155 of 2020 arising out of (Ishipur) Barahat P.S. Case No. 73 of 2020 instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 23.10.2020, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that informant (Gayatri Devi) in the F.I.R. alleges that she had gone to field for plucking vegetable and her two years old son was playing at the door when she heard the screaming of her son and



accordingly came to the place of occurrence but could not find her son and thereafter saw her brother-in-law along with others coming from the side of the field and on asking about the child they feigned ignorance about him. It is further alleged that thereafter the informant went to the crop field and saw dead body of her son thus she alleges that on account of land dispute, the petitioner along with others killed her son.

Learned counsel for the petitioner submits that the entire allegation is based on suspicion, F.I.R. itself records that there is a land dispute and the fact that the son was playing at the door and the dead body was found in the crop field which was about 500 metres away from the house does not suggest that the petitioner in such a short span of time would have committed the occurrence. It is further submitted that since petitioner is the elder brother-in-law of the informant and is having dispute with respect to property, as such based on suspicion he has been implicated in the present case along with his family members and others.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 23.10.2020, charge-sheet has been submitted in the case,



petitioner is a person with clean antecedent, charges have been framed and there is no eye-witness to the occurrence and his name transpired based on suspicion on account of land dispute, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-X, Bhagalpur in connection with S.T. Case No. 155 of 2020 arising out of (Ishipur) Barahat P.S. Case No. 73 of 2020, further the court below will try to expedite the trial and complete the same as expeditiously as possible.

(Satyavrat Verma, J)

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