

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39768 of 2022**

Arising Out of PS. Case No.-59 Year-2022 Thana- JALALGARH District- Purnia

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Dharma Rishi @ Dharmendra Rishi Son Of Rammurti Rishideo Resident Of  
Misharinagar, P.S.- Jalalgarh, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      22-11-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

Heard learned counsel for the petitioner and learned  
  
APP for the State.

Petitioner seeks regular bail in connection with Jalalgarh P.S.  
  
Case No. 59 of 2022 registered for the offence punishable under  
  
Section 302/34 of the Indian Penal Code.

As per the prosecution, the informant's nephew was  
  
strangled to death using a rope by this petitioner and other  
  
co-accused persons.

The main submissions advanced by learned  
  
counsel Mr. Praveen Kumar Agrawal appearing for the  
  
petitioner are that the petitioner is not the relative of the

deceased and in the FIR any motive on the part of the petitioner to kill the deceased has not been revealed, the FIR of the instant matter was lodged after a delay of one day and in the FIR only suspicion has been raised against the petitioner and other co-accused persons but the same has been without any basis and even the informant did not disclosed the name of the persons through whom he got the information about accused persons including the petitioner who were involved in the murder. Further submission is that during the course of investigation any witness examined did not claim to have seen the alleged occurrence of murder, in fact due to family dispute the deceased left his house and started residing in in-laws' house of his brother where he might have committed suicide.

Learned APP Mr. Satyendra Prasad, appearing for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR and the order impugned. As per the FIR the informant is not an eye-witness of the alleged murder and he named the petitioner and others in the FIR as accused persons merely on the basis of information got by him from the villagers of the nearby village but he has not disclosed the name of the said villagers and in this regard the source of information was concealed in the FIR

and moreover the reason or motive on the part of the petitioner to kill the deceased has not been revealed. Considering these facts as well as above submissions and petitioner’s clean antecedent and his custody period, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Jalalgarh P.S. Case No. 59 of 2022.

**(Shailendra Singh, J.)**

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