

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51168 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- PHULWARIA District- Begusarai

DHARMENDRA KUMAR SAH Son of Late Govind Sah Resident of Village
Baro Tetariya Tola, Ward No. 7, P.S. Phulwaria, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Phulwaria P.S. Case No. 63 of 2021 instituted for the offences
under Sections 302/34 of the Indian Penal Code read with Section
27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 18.06.201, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that his second son (deceased)
was killed by unknown accused and on the basis of suspicion
alleges that petitioner and his two sons, namely, Sanni Kumar and
Sonu Kumar might have killed the deceased on account of the land



dispute.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the entire allegation hinges around suspicion, the informant alleges that the petitioner and his two sons might have killed the deceased on account of land dispute but does not disclose in the FIR what was nature of dispute which led to the occurrence or on what basis he suspects. Learned counsel further submits that during the course of investigation also no eyewitness has come forward to substantiate the allegation.

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

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and has been implicated in the case merely on basis of suspicion, 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 Additional Chief Judicial Magistrate-I, Begusarai in connection with Phulwaria P.S. Case No. 63 of 2021.

(Satyavrat Verma, J)

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