

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61569 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- JOGAPATTI District- West Champaran

DHARMENDRA GIRI S/o Prabhu Giri R/o Kaithwalia, P.S.- Sanichari,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022 Heard.

The petitioner seeks regular bail in connection with Yogapatti (Sanichari) P.S. Case No. 60 of 2020, registered for the offence punishable under sections 302, 328, 120B/34 of the Indian Penal Code.

The son of the informant is stated to have been married with the sister of the petitioner about 16 years back and out of the said wedlock, three daughters were born, however, on account of some matrimonial dispute, a dowry case is stated to have been pending in between the parties. It is also alleged that on account of pressure made upon the deceased, the deceased had given a sum of Rs. 15 lacs to his in-laws, however, subsequently they again started pressurizing



him for more money and for transferring the land in the name of his wife. It is also alleged that on 20.02.2020, the deceased had gone to his in-laws house, however, subsequently it transpired that he has been killed by the accused persons including the petitioner, who is the brother-in-law of the deceased by administering poison.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 12.08.2021. The learned counsel for the petitioner has further submitted that similarly situated co-accused person i.e. the brother of the petitioner as also the father of the petitioner have already been granted bail by a co-ordinate Bench of this Court vide orders dated 23.03.2021 and 10.12.2020 passed in Cr. Misc. No.4384 of 2021 and Cr. Misc. No. 26884 of 2020, respectively.

Per contra, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also



considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of C.J.M., Bettiah, West Champaran in connection with Yogapatti (Sanichari) P.S. Case No. 60 of 2020.

(Mohit Kumar Shah, J)

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