

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61436 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- DEHRI TOWN District- Rohtas

Parmanand Sarawgi S/O Late Mahangi Lal Sarawgi R/O Village-Nilkothi,
P.S-Dehri (T), District-Rohtas, At Present R/O House No.34, Near Rajgarh
Bhawan, 43 R.D. Main Road Cross Raj Rajeshwari Nagar, District-Bengluru
(KARNATKA).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar
For the State	:	Mr. Abhay Kumar
For the Informant	:	Ms. Anu Priyadarshni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in connection with Dehri (T)
P. S. Case No.108 of 2021, instituted for the offences under
Sections 302, 120B of the Indian Penal Code read with Section
27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 19.04.2021, charge-sheet has been
submitted in the case and has antecedent of one case, which was
instituted by the present informant himself.

The learned counsel for the petitioner submits that the
informant alleges that on 09.02.2021 at about 8.15 P.M., his
wife (deceased) was returning back home after closing her



medicine shop with staff Pappu Kumar Gupta @ Guddu, when one man came on foot from behind and shot the deceased in the neck and fled into streets. Further Pappu Kumar Gupta @ Guddu informed her husband and took her to Sadar Hospital, Jamuhar where doctor declared her dead.

The learned counsel for the petitioner submits that the informant is a tenant of the petitioner and an Eviction Suit was also filed in the Year 2016 by the petitioner for getting the informant vacated from his shop. The learned counsel further submits that informant is an old man aged about 75 years and had shifted to Bangalore with his family about 30 years back. It is further submitted that the petitioner on the date of occurrence was in Bangalore and the informant took the killing of his wife as an opportunity to implicate the petitioner along with other businessmen of the area merely on the basis of suspicion. The learned counsel further submits that Pappu Kumar Gupta, who is an employee of the informant was also present, but he has not identified the accused, who shot the deceased.

Learned counsel for the petitioner further submits that it absolutely does not stand to reason when an eviction suit was filed why the petitioner would have conspired to get the wife of the informant killed. It is further submitted that co-accused



Benketesh Mishra @ Binay Kumar Mishra has been granted bail by order dated 21.03.2022 in Cr. Misc. No.61110 of 2021.

The learned counsel for the informant as well as learned A.P.P. for the State opposes the bail application. The learned counsel for the informant is not able to meet the submissions of the learned counsel for the petitioner that similarly situated co-accused has been granted bail.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and is an old man and the entire allegation hinges around suspicion, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 18th Additional Sessions Judge, Rohtas, Sasaram in connection with Sessions Trial No.157 of 2021 arising out of Dehri (T) P. S. Case No.108 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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