

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71816 of 2021**

Arising Out of PS. Case No.-174 Year-2020 Thana- AGIAON District- Bhojpur

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DHARMENDRA KUMAR SINGH @ DHARAMDEO KUMAR SINGH @
GAJRAJ @ DHARMENDRA YADAV S/o Late Ajay Singh @ Ajay Kumar
Singh R/o village - Azam Nagar, P.S.- Agion (G), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anant Kumar Pandey, Advocate
For the Informant	:	Mr. Shashi Bhushan Pandey, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The petitioner seeks bail in a case registered for the
offences punishable 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 26.09.2021, charge-sheet has been
submitted and has antecedent of two cases under the Excise Act.

The informant alleges that his son Saurabh Raj @
Ravi Yadav (deceased) along with Nirmal Yadav and Mohan Rai
went to attend the Shradh ceremony at Manduri and from there



the deceased along with Nirmal Yadav came to village Nasahi and from there the deceased came on bike along with Dipu Kumar to village Sahangi and from there the deceased became traceless. It is alleged that a call came on the mobile of the wife of the deceased from the mobile of the deceased by unknown at about 08:30 p.m. which created suspicion in the mind of the family and they started searching the deceased. It is alleged that on the next morning the dead body of the deceased was found at village Ramdihra who had sustained firearm injury and had also sharp cutting injury.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. During the course of investigation, it has come that the deceased was having illicit relation with the daughter of Nirmal Yadav on account of which a conspiracy was hatched to kill the deceased. Learned counsel further submits that name of the petitioner transpired in the re-statement of the informant and the petitioner has been implicated by way of afterthought as the petitioner was subsequently arrested by the police and was made to confess his participation in the crime. Learned counsel next submits that the entire allegation hinges around suspicion and there is no eyewitness to the occurrence and co-accused Sushil Singh and



Jimi have been granted bail by order dated 16.05.2022 in Cr. Misc. No. 69309 of 2021 and Cr. Misc. No. 70699 of 2021 respectively.

Learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for regular bail of the petitioner but the learned counsel very fairly submits that co-accused have been granted bail.

Considering the fact that the petitioner is in custody since 26.09.2021, charge-sheet has been submitted and co-accused have been granted bail, the petitioner, above named, is directed to 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 Court below where the case is pending in connection with Agion (G) P.S. Case No. 174 of 2020.

(Satyavrat Verma, J)

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