

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29127 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- JAMALPUR District- Munger

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DHARMENDRA MAURYA @ DHARMENDRA KUMAR MAURYA SON
OF LATE DEVO MANDAL @ DEVENDRA PRASAD MANDAL
RESIDENT OF VILLAGE- AMARI, PS- DHARHARA, DISTT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Mishra, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with S.T. No.
135 of 2023 arising out of Jamalpur P.S. Case No. 73 of 2022
dated 06.05.2022 registered for the offence under Sections 302,
34, and 120(B) of the Indian Penal Code.

The petitioner along with others are alleged to have
committed murder of the husband of the informant.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case merely on the basis of
suspicion. He further submits that it appears from the F.I.R. itself
that no specific allegation of assault of any overt act is attributed
to the petitioner. He further submits that there is no eye witness



to the alleged occurrence even the informant has not claimed to be eye witness of the alleged offence. He further submits that similarly situated co-accused persons, namely, Rinku Devi @ Sheela Devi along with Shobha Devi and Priyanshu Kumar have already been granted bail by this Court vide order dated 05.04.2023 and 22.05.2023 passed in Cr. Misc. No. 57845 of 2022 along with Cr. Misc. No. 64129 of 2022 and Cr. Misc. No. 20710 of 2022 respectively. The petitioner is rotting in judicial custody since 12.12.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Munger in connection with S.T. No. 135 of 2023 arising out of Jamalpur P.S. Case No. 73 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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