

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61742 of 2023

Arising Out of PS. Case No.-85 Year-2021 Thana- CHANDRADIP District- Jamui

Dharmendra Kumar @ Sachidanand Kumar S/O- Son Of Lovindra Yadav
Village- Shyamdeo PS- Dhamaul Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kr. Pathak, Adv.

Mr. Pramod Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for bail in a case
instituted for the offence under Sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, cousin brother has
left his house saying that his friend is calling him from
Aliganj by phone. Thereafter, after about two hours, a news
spread that a dead body was lying beside Nawada main
road. Informant went there and he identified his cousin's
dead body and found that one bullet injury near his right ear
and another at his right chest. Informant has raised strong



suspicion against the FIR named accused persons as there was land dispute between the deceased and accused persons. Prior to this incident, accused persons have also threatened his brother to face dire consequences.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No one is the eye witness of the alleged occurrence. Petitioner is not named in the FIR. Only on the basis of suspicion, the name of the petitioner has been dragged in the present case. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. It is further stated that there is no direct evidence against the petitioner. Petitioner is languishing in judicial custody since 27.06.2023.

The application for bail is opposed by learned APP for the State and submitted that there was love affair between the deceased and unmarried sister of the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on



furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st, Jamui in connection with Chandradeep P.S. Case No. 85 of 2021.

(Sunil Kumar Panwar, J)

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