

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1266 of 2022

Arising Out of PS. Case No.-539 Year-2017 Thana- SAHARSA SADAR District- Saharsa

Dharmendra Kumar Singh S/O Late Ramashish Singh R/o village- Dharhara,
P.S.- Dharhara, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Ms. Priyanka Singh, Adv.
For the Opposite Party/s	:	Mr. Suresh Pd. Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

10 13-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned senior counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Sadar (Saharsa) P.S. Case No. 539 of 2017 dated 29.05.2017 registered for the offence punishable under Section 302 of the Indian Penal Code.

As per the prosecution, the informant alleged that the victim (deceased) has been murdered by this petitioner (husband of the deceased) by strangulating her. It is further alleged that



the petitioner burnt the dead body of the victim.

The main submissions advanced by learned senior counsel appearing for the petitioner are that the petitioner has been languishing in jail for last twenty months and initially U.D. case was lodged by the father of the victim (deceased) but later on, the said U.D. case was converted into the FIR of the present matter with an allegation of victim having been murdered by this petitioner by strangulation and the said allegation was made mainly on the basis of medical expert's opinion but there is no eye-witness of the alleged occurrence and the petitioner himself sustained burn injury and he was treated at three hospitals and his trial has started and six material witnesses have been examined out of ten chargesheet witnesses and the petitioner is a government employee. Further submission is that the petitioner himself informed the father of the deceased about the accidental burn to the deceased.

Learned APP appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly the petitioner's custody period and the facts that out of ten chargesheet witnesses, six material witnesses have been examined and the petitioner is stated to be a government



employee and admittedly, he sustained burn injury during the relevant time of the commission of the alleged occurrence, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sadar (Saharsa) P.S. Case No. 539 of 2017.

(Shailendra Singh, J)

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