

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66401 of 2022**

Arising Out of PS. Case No.-96 Year-2022 Thana- DHAMDAHA District- Purnia

DOMI SHARMA @ DOMI DAS Son of Mangal Sharma @ Mangal Das R/o  
village - Bhotiya, P.S.- Dhamdaha, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      07-04-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Dhamdaha P.S. Case No. 96 of 2022 registered for the offence  
under Sections 302, 201/34 of the Indian Penal Code.

When the husband of the informant did not return  
to his home, the informant tried to connect with her  
husband but she failed and after restless night, she came to  
know that her husband's dead body is thrown in her maize  
field. She suspects that her husband has been killed by co-  
accused, Sanjay Mandal and his associates.

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 the petitioner has not been named in the F.I.R. but during course of investigation, the informant in her statement disclosed the name of this petitioner. He further submits that save and except the suspicion, no cogent material suggesting the involvement of the petitioner in the alleged occurrence has surfaced during course of investigation. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 23.05.2022.

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 Additional Chief Judicial Magistrate-IV, Purnea in connection with Dhamdaha P.S. Case No. 96 of 2020 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)**

brajesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

