

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81203 of 2023

Arising Out of PS. Case No.-407 Year-2023 Thana- RUPASPUR District- Patna

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Dharmendra Kumar Son Of Mr. Krishna Sao Resident Of Village Paliganj
Ward No. 2, P.S. Paliganj, District-Patna At Present Maurya Vihar Colony,
Renter In The House Of Ramesh Sharma, P.S. Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Purushottam Kumar
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 120(B), 201/34 of the Indian Penal Code and chargesheet has been submitted under Sections 306, 363, 365/34 of the Indian Penal Code.

It is a case of commission of murder of the informant's uncle, namely, Vimal Singh by FIR named accused persons including this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. It is also



submitted that F.I.R. has been lodged U/s 302, 120(B), 201/34 of the I.P.C. but after completing the investigation charge sheet has been submitted by the police u/s 306, 363, 365/34 of the I.P.C. No one is the eye witness of the alleged occurrence. There is no specific overt-act against the petitioner. In fact, the deceased had taken money from several persons on the pretext of giving agency of Animal Food Product etc. but he failed to pay the same and due to this pressure he committed suicide by jumping from flat. During investigation vide para 20 and 21 of the case diary, the witnesses have also stated the same fact that deceased committed suicide. He has no concern with the alleged occurrence. Similarly situated co-accuse has already been granted bail by this Court vide order dated 20.09.2023 passed in Cr. Misc. No. 59110 of 2023. It is also submitted that petitioner is languishing in judicial custody since 02.06.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rupaspur P.S. Case No.407



of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Danapur, Patna.

(Sunil Kumar Panwar, J)

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