

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14061 of 2024

Arising Out of PS. Case No.-401 Year-2022 Thana- MAHUA District- Vaishali

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DHARMENDRA SINGH S/O LATE PRABHU SINGH R/O VILLAGE-
GOVINDPUR, SINGHARA, P.S- MAHUA, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Shankar Das, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 16-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending arrest in connection
with Mahua P.S. Case No. 401 of 2022 registered for the offences
punishable under Sections 302, 201/34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the
informant, who is said to have been married with one Nagendra
Singh, informed the informant telephonically that her life is in
danger. On the very next day, her daughter has been murdered. It is
further alleged that petitioner and others are said to have committed
the murder of informant's daughter, Shabnam Devi.

4. Learned counsel for the petitioner submits that there
is no specific allegation against the petitioner. Petitioner bears no
criminal antecedent. The prosecution story is in two fold. One fold is
said to have implicated the husband of the deceased-wife, but in the
last portion of the prosecution story, informant has made vague
allegation against the petitioner and others, which creates reasonable

doubt regarding the story of prosecution. Learned counsel further submits that co-accused Birendra Singh, whose case stands on similar and identical footing, has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 07.05.2024 passed in Cr. Misc. No. 26136 of 2024.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, there is no specific allegation against the petitioner, he bears no criminal antecedent and similarly situated co-accused has been granted anticipatory bail, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Magistrate 1st Class, Vaishali at Hajipur in connection with Mahua P.S. Case No. 401 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Alok Kumar Pandey, J)

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