

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24453 of 2024

Arising Out of PS. Case No.-195 Year-2021 Thana- SARAI District- Vaishali

=====

Dharmendra Kumar @ Dharmendra Kumar Singh Son of Laldeo Prasad
Singh @ Laldeo Singh Resident of Village- Methura, P.S.- Bidupur, Dist.-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with S. Tr. no. 141 of 2022, arising out of Sarai P.S. Case no.195 of 2021, registered under sections 302, 120B, 394 and 384 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that the petitioner and one another came and took away her husband stating that their motorcycle needed some repairs and that he should assist. Thereafter, it is stated that the other members of the family of the petitioner and the other persons were present from before. The husband of the informant was threatened that he should sign on a blank stamp



paper and, thereafter, the petitioner shot him with the pistol as a result of which he died.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 13.1.2023 passed in Cr. Misc. no. 27427 of 2022. He has been falsely implicated in the case. Inspite of the petitioner being in custody since 21.11.2021, having no criminal antecedent and cooperating in the trial, the trial has still not concluded and there is no chance of the same concluding in the near future.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 4.4.2024 of the Additional District & Sessions Judge-VII, Vaishali at Hajipur, 8 out of the 9 witnesses have been examined on behalf of the prosecution and only the Investigating Officer of the case remains to be examined.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner of having shot the husband of the informant with a pistol leading to his death together with the trial having reached near its



conclusion, the Court is not inclined to enlarge the petitioner
on bail and the application is rejected.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

