

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51732 of 2024

Arising Out of PS. Case No.-60 Year-2009 Thana- SAHPUR District- Bhojpur

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Dharmendra Rai, age about 48 years, Male, S/o Rameshwar Rai, R/O Vill
Barisawan, P.S. Shahpur, Distt-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party : Mr. Narsingh Tanti, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Shahpur
P.S. Case No. 60 of 2009 dated 19.03.2009 dated 19.03.2009
registered for the offences punishable under Sections 304B and
201/34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-
accused persons are alleged to have killed the informant's sister
due to non-fulfillment of demand of a motorcycle and Rs.
50,000/- and her dead body was also disappeared.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner is the brother-in-



law (*Bhaisur*) of the deceased. The petitioner neither demanded any dowry from the deceased nor tortured the deceased. There is general and omnibus allegation against the petitioner. It is further submitted that after investigation, police submitted final form finding the case as 'mistake of fact' and exonerated the petitioner on 10.12.2009 but the learned court below differed with the final form and took cognizance for the offences punishable under Sections 304B and 201 of the I.P.C. on 20.11.2010. The petitioner has no concern with the alleged offence. He is separate in mess and property from the husband of the deceased. The other co-accused Rameshwar Rai who is the father-in-law of the deceased has already been granted bail by a Bench of this Court vide Cr. Misc. No. 31780 of 2024 under order dated 06.05.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 24.05.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of



the learned C.J.M., Bhojpur at Ara in connection with Shahpur
P.S. Case No. 60 of 2009.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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