

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61524 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- JAMHOR District- Aurangabad

Dharmendra Singh Son of Lalan Singh R/o Village- Makhra Toli, Manhi Bigha, P.S.- Jamhore, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Jamhor P.S. Case No. 229 of 2023, instituted for the offences punishable under Section 302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner along with other co-accused persons abused and assaulted the informant for refusing to give cigarette. Co-accused Pawan Singh assaulted the mother of the informant and later on all the accused persons assaulted her by means of *lathi*, legs and fists till her death.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. There is no specific allegation against the petitioner, rather the allegation levelled against the petitioner is general and omnibus in nature. The specific allegation is levelled against co-accused Pawan Singh and Pintu Singh. The petitioner is in custody since 05.07.2024 and has got no criminal antecedent. Other co-accused has been granted bail by this Court *vide* order dated 09-05-2024, passed in Cr. Misc. No. 35216 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jamhor P.S. Case No. 229 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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