

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16412 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- CHAORI District- Bhojpur

Sipahi Paswan @ Siphi Ram, aged about 60 years, male, S/O Sareekha Paswan Resident of Village-Berath, P.S.-Chauri, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Chauri PS Case No. 54 of 2020, instituted for the offence under Sections 302 and 201/34 of the Indian Penal Code.

The informant's husband had gone to the field and later on he has been found lying dead near the river. Death has been caused due to injuries sustained by sharp cutting weapon.

The learned counsel for the petitioner submits that based on quarrel with petitioner, his son and two other co-accused



persons, the informant has falsely implicated all the four accused persons. The allegation against all the four accused is similar. Two accused persons, namely, Virendra Paswan and Guddu Paswan, have been allowed bail in Cr. Misc. No. 23889 of 2021. The petitioner is on bail in all the three cases mentioned in paragraph No.3 of the bail petition. He is languishing in custody since 30.08.2020

The learned APP representing the State have opposed the prayer for bail. It is submitted that there is specific allegation against the petitioner. He, however, cannot dispute the fact that co-accused persons have been allowed bail and that the allegation against them was similar to that which has been made against the instant petitioner.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhojpur, Ara, in connection with Chauri PS Case No. 54 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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