

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 16522 of 2021**

Arising Out of PS. Case No.-17 Year-2020 Thana- DHANARUA District- Patna

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PRAVIN KUMAR SON OF DEO CHARAN PASWAN @ DEO KARAN
PASWAN RESIDENT OF VILLAGE-RAMNI BIGAHA, P.S DHANAURA,
DIST- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr Niranjan Kumar, Advocate
For the State	:	Ms Nirmala Kumari, APP
For the Informant	:	Mr Ajit Kumar Sinha, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 29-10-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner; learned
Additional Public Prosecutor (for brevity, APP) appearing for
the State of Bihar and learned counsel for the informant.

The petitioner seeks bail in Dhanarua Police Station
(for brevity, PS) Case No 17 of 2020 (GR No 50 of 2020)
instituted for the offence punishable under Sections 302, 201/34
of Indian Penal Code.

First Information Report (for brevity, FIR) discloses
that the petitioner along with two other accused persons came to
the informant's house where after the informant's son



accompanied them for partying. Dead body of the son of the informant has been found in the field on the next day leading to filing of the FIR based on suspicion that co-accused Sheo Kumar, who is indulging in real estate business along with the petitioner, has committed the murder.

Learned counsel for the petitioner submits that the entire suspicion, giving rise to lodging of the FIR, is initially against co-accused Sheo Kumar who has been allowed bail by this Court in *Cr Misc No 31536 of 2020*. Other than last seen, there is no material in the case diary, except suspicion. Even as per FIR, there is no allegation that the victim was forcibly taken by the petitioner. In fact, it is a case in which victim had gone on his own volition. The petitioner has no criminal antecedent, as per disclosure made in paragraph 3 of the petition and he is in custody since 26.08.2020.

Learned APP has opposed the prayer for bail. It is submitted that the petitioner is named accused.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, First Class, Masaurhi, Patna in connection with Dhanarua PS Case No 17 of 2020 (GR No 50 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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