

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26312 of 2021**

Arising Out of PS. Case No.-8 Year-2020 Thana- HARSIDHI District- East Champaran

Pawan Singh @ Pawan Kumar Singh @ Guddu Singh S/O Late Madan Singh
R/O Village-Bairaiya Dih, P.S-Harsidhi, District-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinay Kumar Mishra
For the Informant	:	Mr.Pramod Kumar Pandey
For the Opposite Party/s	:	Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Harsidhi P.S. Case No. 08
of 2020, registered for the offence punishable under Sections
302, 307, 323 and allied sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and
time of occurrence, all the FIR named accused persons
including petitioner armed with deadly weapons came at the
door of informant and started abusing and assaulting the
informant and his family members and in the said incident,
grand-father of informant sustained grievous injury. During



course of treatment, informant's grand-father succumbed to injuries.

It is submitted on behalf of the petitioner that there is general and omnibus allegation and no specific overt act has been alleged against this petitioner. Moreover, similarly situated co-accused has been granted bail by this Court vide order dated 19.02.2021 passed in Cr. Misc. No. 29730 of 2020. Petitioner is in custody since 20.01.2021.

Counsel for the Informant vehemently opposed the prayer for bail and submitted that this petitioner has also played active role in the alleged occurrence.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 08 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

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