

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36816 of 2020**

Arising Out of PS. Case No.-10 Year-2020 Thana- KASMA District- Aurangabad

Saryu Bhuiyaan @ Sarju Bhuiyan S/o Dularchand Bhuiyaan R/o Village-
Pipra Tole, Baljori Bigha, P.S.- Kasma, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Leelawati Kumari, Advocate

For the Opposite Party/s : Mr Zainul Abedin, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **25-02-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Kasma Police Station (for
brevity, *PS*) Case No 10 of 2020 dated 18.02.2020 instituted for
the offence punishable under Sections 341, 232, 504, 354/34 of
Indian Penal Code (for brevity, *IPC*) and later on added with
Section 302 of IPC.

The informant has alleged that the petitioner has
pulled the scarf of his sister with the intention of outraging her
modesty. Thereafter, the petitioner, with his family members on
a protest being raised, has assaulted the family members of the
informant leading to death of the informant's father.

Learned counsel for the petitioner submits that there is



a subsisting dispute between the parties. Against the petitioner, there is general and omnibus allegation as no particular blow has been attributed to him. Although it is alleged that six persons have assaulted the deceased, in the investigation, only two injuries have been found. The parties are on litigating terms from before. There is counter version of the occurrence in Kasma PS Case No 11 of 2020, which has been lodged on the same date. The petitioner, having no criminal antecedent, is in custody since 26.06.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, 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 Additional Sessions Judge VI, -cum- Special Exclusive Judge (Protection of Children from Sexual Offences Act), Aurangabad in Kasma PS Case No 10 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./-

U		T	
---	--	---	--

