

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5533 of 2021**

Arising Out of PS. Case No.-88 Year-2020 Thana- PARASBIGHA District- Jehanabad

Parsuram Mochi S/O Viran Mochi R/O Village Kendui, P.S. Parasbigha,
District Jehanabad, Bihar Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Uma Shankar Sharma,Advocate

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

For the Informant : Mr.Paras Nath,Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

4 16-07-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Chaubey Jawahar, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Parasbigha P.S. Case No. 88 of 2020 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 379, 504, 506, 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the accused persons entered the house of the informant and started abusing him. When the informant protested, the family members of Nandan Mochi assaulted the family members of the informant and looted the house. It is further alleged that mother and sister of the informant have been given knife blow thereafter sister of the informant succumbed to the injury.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of a land dispute. It is submitted that there is general and omnibus allegation against altogether 14 accused persons. It is further submitted that there is no specific allegation against this petitioner. The petitioner is in custody since 02.06.2020.

Learned APP for the State as well as learned counsel for the informant has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein learned APP for the State has not controverted the submission of learned counsel for the petitioner that in the First Information Report there are general and omnibus kind of allegations against altogether 14 accused, the alleged occurrence is said to have taken place on account of a land dispute and there is a case and counter case as well from both sides with regard to the alleged occurrence, so far as this petitioner is concerned, there is no specific allegation against him, the petitioner has one criminal antecedent in which he is on bail and in connection with the present case he is in custody since 02.06.2020, investigation against him is complete but the trial is not likely to take place in near future, in these circumstances, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection



with Parasbigha P.S. Case No. 88 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

