

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15311 of 2022

Arising Out of PS. Case No.-263 Year-2020 Thana- Siwan Muffasil District- Siwan

1. Raju Parwat Son of Vishwakarma Parwat Resident of Village - Siyari Mathiya, P.S. Siwan Muffasil, District - Siwan.
2. Arbind Parwat Son of Vishwakarma Parwat Resident of Village - Siyari Mathiya, P.S. Siwan Muffasil, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Irshad Ahmad Khan, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-08-2022 Learned counsel for the petitioners submits that vide order dated 07.07.2022, permission was granted to withdraw the present application for petitioner no. 2, namely, Arbind Parwat as he died.

Learned counsel for petitioner no. 1 seeks regular bail in connection with Siwan Muffasil P.S. Case No. 263 of 2020 lodged under Sections 341, 323, 302, 307, 447, 504/34 of the I.P.C.

As per the prosecution case, a dispute takes place between the children of the village on 13.06.2020 which resulted into the present occurrence in which allegation against the present petitioner is that he has assaulted the mother of the

informant by lathi who was 65 years old and due to attack by lathi, she died.

Learned counsel for the petitioners submits that petitioner is not a criminal at the spur of moment and due to the dispute between the childrens of both the family, the presence occurrence took place. Learned counsel for the petitioners submits that petitioner is in custody since 22.06.2020, charge sheet has been filed as well as charge has also been framed and the petitioners has clean antecedent. He further submits that one co-accused was granted bail by the Co-ordinate Bench of this Court vide order dated 25.03.2021 lodged in Cr. Misc No. 1155 of 2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge IV, Siwan in connection with Siwan Muffasil P.S. Case No. 263 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioners.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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Item No. 12

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