

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23234 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- NARALI KALA KHURD District-
Aurangabad

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1. Sidheshwar Chandrawanshi @ Sidheshwar Singh @ Siddheshwar Chandrawnshi @ Sidheshvar Singh Son of Ratan Chandrawanshi Resident of Village - Sahukhap, P.s.- Narari Kala Khurd, Distt.- Aurangabad.
 2. Ramawatar Chandrawanshi @ Ramautar Singh @ Ramavatar Singh Son of Vinneshwar Chandrawanshi @ Vineshar Chandrawanshi. Resident of Village - Sahukhap, P.s.- Narari Kala Khurd, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.
For the Opposite Party/s : Mr. A.G, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-07-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Narari Kala Khurd P.S. Case No. 23 of 2021 lodged under
Sections 341, 323, 504, 302 of the Indian Penal Code.

As per the prosecution story on 29.03.2021 accused
Amit Kumar came at the house of the informant and try to
outrage the modesty of his wife on the pretext of the colors on
the eve of Holi, upon which the informant protested then



accused Amit Kumar started abusing and assaulted the informant, the other accused persons also visited to the house of the informant with lathi, danda and iron rod started assaulting the informant. In this event informant and his cousin Kusum Devi sustained serious injuries, she went to hospital and during treatment she died.

Learned counsel for the petitioner submits that the petitioner is not a criminal rather the said occurrence takes place on the occasion of Holi. The allegations made in the F.I.R. is also not supported by injury. The ante-mortem injury report indicates one injury found on the body of deceased Kusum Devi. Learned counsel for the petitioner further submits that petitioner is in custody since 25.02.2022 and having clean antecedent and ready to support the trial on whatever with a condition imposed.

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 petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII,



Aurangabad in connection with Narari Kala Khurd P.S. Case No. 23 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner 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.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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