

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29173 of 2022

Arising Out of PS. Case No.-153 Year-2020 Thana- KUMAR KHAND District- Madhepura

1. DHIREN @ DHIRENDRA RISHIDEO Son of Late Chhedi Rishideo Resident of Village - Kumarkhand, Ward No. 14, P.S.- Kumarkhand, District - Madhepura.
2. Biren @ Birendra Rishideo Son of Late Chhedi Rishideo Resident of Village - Kumarkhand, Ward No. 14, P.S.- Kumarkhand, District - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocates
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 30-11-2022 Heard learned counsel for the parties.

The petitioners have renewed their prayer for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

It is submitted by learned counsel appearing for the petitioners that the earlier prayer for bail of the petitioners was rejected vide order dated 21.10.2021 (Annexure-1) passed in Cr. Misc. no. 18995 of 2021.

As per the prosecution case, the accused persons including the two petitioners herein are stated to have assaulted the father of the informant leading to his death.

It is submitted by learned counsel for the petitioners



that the petitioners have remained in custody since 9.9.2020 and the prosecution witnesses still being examined, there is no chance of the trial concluding in the near future. They have no criminal antecedent. Relying on the supplementary affidavit filed in Court today, it is further submitted by learned counsel for the petitioners that the depositions of the prosecution witnesses have been brought on record from which it would transpire that even those prosecution witnesses who claimed to be eye witness to the occurrence have not made any specific allegations instead the allegations are general and omnibus in nature. The petitioners undertake to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the materials on record including the petitioners having remained in custody since 9.9.2020 and the depositions of some of the prosecution witnesses brought on record by way of the supplementary affidavit, the petitioners are directed to be enlarged on bail in connection with Sessions Trial no. 40 of 2021 (arising out of Kumarkhand P.S. Case no. 153 of 2020) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge VII, Madhepura on the following conditions:-

(I) One of the bailors should be the mother / close relative of the respective petitioners.

(II) The petitioners shall remain physically present in court on each date of the trial and shall cooperate in the trial.

(Partha Sarthy, J)

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