

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47701 of 2022

Arising Out of PS. Case No.-329 Year-2020 Thana- RAMNAGAR District- West Champaran

Vijay Prasad S/o Late Shankar Prasad, R/o village- Belagola, Harinagar, P.S.-
Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 24-11-2022 Let the defect(s), 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
Ramnagar P.S. Case No. 329 of 2020 lodged under Sections
341, 323, 506, 498A, 307 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner who is the
brother-in-law of the deceased alongwith other persons have
burned the informant's sister after sprinkling petrol upon her,
due to which she died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that charge sheet has already been file in this case, and

that the charge has been framed and evidence of prosecution is going on. There were in total 20 prosecution witnesses, out of which 7 witnesses have been examined and all witnesses consistently narrated that at the time of alleged occurrence, *Panchayati* was going on outside the house and all persons were sitting including the petitioner and subsequently on *halla* that fire took place in the house, they reached inside the house and saw the occurrence. Learned counsel for the petitioner submits that petitioner is a man of clean antecedent and he is in custody since 08.02.2022. He further submits that co-accused person has already been granted bail by this Court vide order dated 01.11.2022 passed in Cr. Misc. No.38550 of 2022.

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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 329 of 2020, 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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