

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59067 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- NASRIGANJ District- Rohtas

1. Dudheshwar Singh @ Sadhu Singh S/O Late Sharda Singh R/O Village And P.S.-NASRIGANJ, District-Rohtas.
2. Lal Bahadur Singh S/O Rampyare Singh R/O Village-Chandi Tola, P.S-Karakat (GORARI), District-Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-04-2022 Let the defects, if any, be removed within four weeks from today.

Heard Sri Ashok Kumar Chaudhary, learned senior counsel appearing on behalf of the petitioner assisted by Mr. Arvind Kumar Singh as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection with Nasriganj P.S.Case No. 68 of 2021 for the offences punishable under Sections 147, 149, 323, 325, 302 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 29.04.2021 on the occasion of Marriage of his son with daughter



of petitioner no. 1 a dance programme was organized. At about 12.30 am the co-accused persons including this petitioner came up at the stage and started misbehaving and raising hulla. when this act was protested by the people of informant's side, all the accused persons, started assaulting them due to which Dadan Singh received injuries on his head and he succumbed to injuries.

Learned counsel for the petitioners submits that petitioner no. 1 is happens to be father and petitioner no 2 is Mama of the bride. There is general and omnibus allegation against these two petitioners and 30 unknown persons . There is no specific allegation of any overt act against these two petitioners and moreover, it is submitted on behalf of the petitioners that at the time of alleged occurrence, the marriage ceremony was going on inside the house and these two petitioners participating in the said ceremony as father and Mama of the bride. It is next submitted that the petitioners have clean antecedent and are in custody since 01.05.2021. From perusal of the impugned order it appears that even during the course of investigation, nothing has come except two of the witnesses have stated that it is bride side, who assaulted the bridegroom side. Except this there is no material against these



petitioners.

The learned A.P.P opposed the prayer for bail of the petitioners, however, he and fairly submitted that petitioner no. 1 happens to be father and petitioner no. 2 is Mama of the bride. There is least chance of their involvement. It is next submitted on behalf of the learned senior counsel for the petitioner that the said marriage has ultimately solemnized and now both the husband and wife are living happily.

Having heard the learned counsel for the petitioners and taking into consideration the fact that petitioner no. 1 happens to be father and petitioner no. 2 is Mama of the bride and there is general and omnibus allegation of all the co-accused persons. Apart from the fact that they have clean antecedent and are in custody since 01.05.2021, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Nasriganj P.S.Case No. 68 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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