

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53723 of 2022

Arising Out of PS. Case No.-300 Year-2019 Thana- CHANPATIA District- West Champaran

Vijay Jaiswal, S/o Late Ramprit Sah, Resident of Chanpatia, Back of Shiv Mandir, Ward No- 02, P.S.- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-12-2022 This matter has been listed today for consideration through Video Conferencing.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Chanpatia P.S. Case No. 300 of 2019 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, the petitioner was in scuffle with the deceased in the meantime, co-accused Rohit Kumar who is son of the petitioner caused injury with screwdriver in the neck of the deceased due to which Sanjay Jaiswal (deceased) fell down and died. The allegation against the



petitioner is that he had catch hold the deceased.

Learned counsel for the petitioner submits that there is partition dispute between the brothers of petitioner. The main allegation is against co-accused Rohit Kumar who has already been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 59141 of 2021. He has further submitted that the petitioner himself surrendered before the court below on 24.05.2022 and since then he is in custody. Charge-sheet has already been submitted against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State assisted by learned counsel for the informant opposed the bail of petitioner. However, they have conceded that the main allegation is against co-accused Rohit Kumar, who has already been granted bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Subdivisional Judicial Magistrate, West Champaran, in connection with Chanpatia P.S. Case No. 300 of 2019.

(Sunil Dutta Mishra, J)

khushbu/-

U		T	
---	--	---	--

