

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2914 of 2022

Arising Out of PS. Case No.-116 Year-2019 Thana- JURAWANPUR District- Vaishali

SHIVCHANDRA PASWAN Son of Sakaldeo Paswan Resident of Village -
Birpur panch Poniya Tola, P.S.- Jurawanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Jurawanpur P.S. Case No. 116/2019 lodged under Sections
147/148/149/341/302 of the Indian Penal Code 1860.

The allegation of killing of the brother of the
informant was made by assault in which six persons were made
accused.

The learned counsel for the petitioner submits that
there was neither intention nor motive behind such occurrence.
He submits that the family of informant and accused persons
well-known to each other. The children of both family were
playing, the dispute arose among the children, which resulted
into scuffling between the elder member of the informant and



accused persons. He further submits that one co-accused, namely, Sakal Deo having similar allegation as that of present petitioner has been granted bail by a co-ordinate Bench of this Court vide order dated 17.12.2021 passed in Cr. Misc. No.33282/2021, the petitioner is in custody since 04.06.2021, having clean antecedent. Charge sheet has already been filed in this case. He further submits upon query that charge has not been framed as yet.

Learned APP for the State has opposed the prayer for bail.

Considering the facts of the case, this occurrence due to sudden provocation of the parties, petitioner is in custody since 04.06.202 and having clean antecedent. It is also true that charge has not been framed in this case till date and co-ordinate Bench of this court has granted bail to other co-accused.

I am of the opinion that the present petitioner in the above fact is entitled for bail, only after framing of charge, it is due to this reason I am hereby directing to the court below to release the petitioner on bail **after framing of charge** on furnishing bail-bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Vaishali at Hajipur in



connection with Jurawanpur P.S. Case No.116/2019.

(Dr. Anshuman, J)

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