

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16111 of 2023

Arising Out of PS. Case No.-38 Year-2021 Thana- SIGAUDI District- Patna

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Rabindra Paswan @ Ravindra Paswan, Son of Khesari Paswan R/V- chikshi
P.S- Sigori, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-03-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mr. Ashok Kumar Sinha, learned counsel for
the petitioner and Mr. Ashok Kumar Singh, learned APP for the
State.

The petitioner seeks regular bail, who is in custody in
connection with Sessions Trial No. 711 of 2021 arising out of
Sigori P.S. Case No. 38 of 2021, registered for the offences
punishable under Sections 147, 149, 341, 323, 325, 307, 302,
337, 504, 506 of the Indian Penal Code.

The Petitioner has renewed his prayer for bail in



pursuant to the liberty granted by this Court in Cr. Misc. No.22965 of 2022 vide order dated 27.07.2022.

Earlier the prayer for bail to the petitioner was rejected after taking into consideration the specific nature of accusation as also the gravity of the offence that this petitioner assaulted the deceased by means of Iron Rod, which ultimately resulted into his death.

Learned counsel appearing on behalf of the petitioner drawn the attention of this Court towards the deposition of the informant recorded during the course of trial as contained in Annexure-3 and on the basis thereof, he vehemently submitted that the informant has not supported the prosecution case, and he has not even made any deposition against the petitioner.

On the other hand learned APP for the State vehemently opposes the bail application and submits that there is specific allegation against the petitioner of assault over the head of the deceased, however, he shows his inability to confront the submissions made on behalf of the petitioner with regard to the fact that informant has not supported the prosecution case.

Regard being had to the submissions made on behalf of the parties and in view of the aforesaid observation made by



this Court as also the deposition of the informant, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Danapur, District Patna, in connection with Sessions Trial No. 711 of 2021 arising out of Sigori P.S. Case No. 38 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.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail



bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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