

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52562 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- TEYAR District- Bhojpur

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PARASH GIRI @ PARAS GIRI GOSHWAMI S/O LATE BRIJ GOSWAMI
R/O VILLAGE- TIYAR, P.S- TIYAR, DISTRICT- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2023 Heard Mr. Krishna Prasad Singh, learned senior
counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Tiyar P.S.
Case No. 24 of 2023 registered for the offence under Sections
307/34, 342, 324, 326, and 323 of the Indian Penal Code and
later on 302 of the Indian Penal Code has been added.

The petitioner along with others are alleged to have
committed murder of grand daughter of the informant by
pressing her neck and burnt her after sprinkling kerosene oil.

Learned senior counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He further
submits that on bare perusal of the F.I.R., it appears that there is
no accusation of assault or any overt act is attributed to the



petitioner rather there is only allegation against the petitioner that he was having knowledge about the present occurrence and he kept it hidden. He further submits that the petitioner is an old person having age of 68 years and he has got no concern at all with the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 14.03.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the present occurrence taken place in the house of the petitioner and bottle of kerosene oil, cloth of victim and other articles have been recovered from the place of occurrence.

Considering the facts and circumstances of the case and the fact that there is no specific allegation of assault or any overt act is attributed to the petitioner and he is an old man of 68 years, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bhojpur at Ara in connection with Tiya P.S. Case No. 24 of 2023 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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