

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54743 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- PANDAUL District- Madhubani

SONE LAL SINGH SON OF LATE BABUE LAL SINGH RESIDENT OF
VILLAGE- KHANGAW, WEST TOLA, PS- PANDAUL, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55020 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- PANDAUL District- Madhubani

1. AMAR KUMAR SINGH S/o SONE LAL SINGH VILLAGE KHANGAW,
WEST TOLA, PS PANDAUL, DISTRICT MADHUBANI
2. Pawan Devi W/o Sone Lal Singh VILLAGE KHANGAW, WEST TOLA, PS
PANDAUL, DISTRICT MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 54743 of 2023)

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

(In CRIMINAL MISCELLANEOUS No. 55020 of 2023)

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023

Heard the parties.

The petitioners are accuseds in connection with
Pandaul P.S. Case No. 50 of 2023 registered for the offences
under sections 302 and 34 of the Indian Penal Code lodged on
13.03.2023 by the informant, Badelal Singh.



As per the prosecution story, Sonelal Singh (Cr. Misc. No. 54743 of 2023) is the cousin brother of the informant while Amar Kumar Singh (Cr. Misc. No. 55020 of 2023) is his nephew. Allegation is that due to petty issue, they assaulted the informant and his wife and in the process, the allegation is that Pawan Devi and Amar Kumar Singh caught hold of wife of the informant and it is alleged that Sone Lal Singh gave '*bamboo*' blow on her head causing injury. She was rushed to the hospital but died on the way. Accordingly, the FIR.

It is the case of the petitioners in both the cases, just to made the allegation grave, it has been incorporated that Sone Lal Singh hit her on head by '*bamboo*', actually she fell down, caused injury which proved fatal.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that facts have been clearly incorporated in the FIR inasmuch as the informant has made specific allegation against Sone Lal Singh of using '*bamboo*' on her head which proved fatal.

Considering the kind of allegation that has come against the against Sone Lal Singh (Cr. Misc. No. 54743 of 2023), this Court is not inclined to extend him privilege of bail, which is accordingly rejected.



So far as the petitioners, Amar Kumar Singh and Pawan Devi (Cr. Misc. No. 55020 of 2023) are concerned, allegation of assault is not against them, do not have criminal antecedent and are in custody since 14.03.2023 (as stated in paragraph 22 of the bail application), this Court is inclined to extend them privilege of bail.

Let the petitioners (Amar Kumar Singh and Pawan Devi) be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-Vth, Madhubani in connection with Pandaul P.S. Case No. 50 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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