

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71899 of 2023

Arising Out of PS. Case No.-78 Year-2020 Thana- JAMOBABAZAR District- Siwan

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VINOD PAL SON OF PARAS PAL R/O VILLAGE- INDAULI, P.O.-
BAHADURPUR, P.S.- JAMO BAZAR, DIST.- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 08-12-2023 Heard the parties.

2. The petitioner is in custody in connection with Jamo Bazar P.S. Case No. 78 of 2020 under sections 304(B), 201 and 506/34 of the Indian Penal Code lodged on 17.05.2020 by the informant, Surendra Pal.

3. The prosecution case, in brief, is that the informant received information that his daughter Sheela Devi is not well. On information, he reached the house of his daughter and found that last rituals of his daughter is being performed. The informant further alleged that his daughter always use to call him that the petitioner's family including the petitioner herein tortured her and demanded money.

4. Earlier the case of the petitioner was heard and rejected on 12.08.2022 vide Cr. Misc. No. 26045 of 2022.



5. Again, a fresh application has been preferred whereafter a report was called for on 10.11.2023, which has since been received vide Letter no. 247 dated 24.11.2023 according to which out of six witnesses, three have been examined and despite summons to the S.P. and D.M, Siwan, the other witnesses have failed to appear.

6. Taking into account the aforesaid facts as also that the petitioner is in custody since 01.02.2022, do not have criminal antecedent and he will be diligently appearing in trial as undertaken by the learned counsel for the petitioner, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-VII, Siwan, in connection with Jamo Bazar P.S. Case No. 78 of 2020 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner 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 the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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