

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75383 of 2022

Arising Out of PS. Case No.-576 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

PAWAN KUMAR @ PAWAN PRASAD S/O SRI BRIJMOHAN KHARWAR
@ SRI BRIJMOHAN PRASAD Resident of village- Baghra, P.O.-
Khalishpur, P.S.- Siwan (M), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 791 of 2023

Arising Out of PS. Case No.-576 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

PAPPU PRASAD S/O ACHCHHE LAL PRASAD Resident of village-
Baghara, P.O.- Khalishpur, P.S.- Muffasil, Siwan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 75383 of 2022)

For the Petitioner/s : Mr.Abhimanyu Deo

For the Opposite Party/s : Mr.Mukesh Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 791 of 2023)

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in a case
instituted for the offence under Sections 302, 201 and 34 of the
Indian Penal Code and Section 120B of the IPC was added.

As per allegation in the FIR, the informant came to



know that the dead body of his brother, Sunil Yadav is lying behind the house of Ram Awatar Mahto and upon information, he went there and saw the body hanging with the tree by a rope. He has alleged that on 4.11.2021, in the night, there was maarpeet with one Pawan Kumar and Bal Prasad, who had threatened of dire consequences. Accordingly, the FIR was lodged.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. It is a clear case of suicide. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 21.10.2022 passed in Cr. Misc. No. 40868 of 2022. Petitioners are languishing in judicial custody for about ten months.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two



sureties of the like amount each to the satisfaction of the learned
Additional District & Sessions Judge-VIII, Siwan/concerned
court in connection with Sessions Trial No. 666 arising out of
Muffasil P.S. Case No. 576 of 2021.

(Sunil Kumar Panwar, J)

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