

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.184 of 2023

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

Achchhe Lal Prasad @ Akshay Lal Prasad Son of Late Bhola Prasad R/V-
Baghara, P.S- Muffassil, Siwan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the informant came to know that 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. It is further alleged that on 04.11.2021 in the night, there was *Marpit* with on Pawan Kumar and Bal Prasad, who had threatened of dire consequence.

It is submitted that informant is not eye-witness of the occurrence. Simply because petitioner is father of co-accused Pappu Prasad, he has been roped in this case. It is further



submitted that from bare perusal of FIR it is apparent that there was *marpit* with one Pawan Kumar and Bal Prasad, who threatened of dire consequence. Petitioner is not named in the FIR. Name of petitioner surfaced in this case during course of investigation. Specific accusation of assault is against Pawan Kumar and Bal Prasad. Co-accused Bal Prasad has been granted bail by a coordinate Bench of this Court vide order dated 21.03.2023 passed in Cr. Misc. No. 616 of 2023. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 576 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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