

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30757 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- PASRAHA District- Khagaria

Chandeshwari Singh S/o Late Wishundev Singh R/o vill - Karna, P.S. -
Parbatta, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Narayan Singh, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 19-07-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Pasraha P.S. Case No. 182 of 2023, lodged on 08.07.2023 under
Sections 302, 342, 323, 34, 120(B) of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against 13 named accused persons including the present
petitioner alleging therein that all the accused persons in the
background of land dispute, assaulted the informant's mother by
deadly weapon due to which she died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the specific allegation of assault is against
accused persons namely, Sattan Singh, Dablu Singh, Babloo
Singh, Rajdeo Singh and Phulo Singh. Counsel further submits



that the petitioner is aged about 40 years and resident of another village, whereas, other accused persons are of other village. Counsel submits that from the contents of the FIR, it become very much clear that the informant appears to be the eye-witness and he has made specific allegation against the specific named accused persons, but he has not whisper anything against the present petitioner.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail. The petitioner is in custody since 19.01.2024 in the present case. Counsel further submits that other co-accused persons have been granted bail by this Court as well as by the Co-ordinate Bench of this Court *vide* orders dated 18.01.2024 and 07.02.2024 passed in Cr. Misc. No.1402 of 2024 & Cr. Misc. No. 5405 of 2024 respectively. Counsel also submits that charge-sheet has already been submitted in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is a case under section 302 of the Indian Penal Code.

7. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that it is



a case of brutal murder and cause of murder has been explained in the FIR by which it become clear that the father and uncle of the informant was killed in which the informant's mother was the eye-witness and it is due to this reason, informant's mother was killed as she was neither ready to leave the land nor ready to enter into compromise.

8. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Pasraha P.S. Case No. 182 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

9. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Pasraha P.S. Case No. 39 of 2014.

(Dr. Anshuman, J)

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