

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47332 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- SAUR BAZAR District- Saharsa

Purushottam Kumar S/o Bhupendra Paswan R/o Vill - Lattipur, Ward no. 12,
P.S. - Saur Bazar, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 28-10-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with S.Tr.
No. 192 of 2024, arising out of Saur Bazar P.S. Case No. 86 of
2024, instituted for the offences punishable under Sections
302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the informant
saw co-accused Ashok Yadav and Yugo Yadav along with 4-5
unknown persons were assaulting his brother. Upon objection
all the accused persons tried to attack on him and his son but
they fled away. Brother of the informant was found dead on the
next day of the occurrence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case during course of investigation. No specific allegation of assault has been attributed against the petitioner. It is further submitted that cognizance has already been taken in this case. The petitioner is in custody since 13.02.2024 and has got two criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.Tr. No. 192 of



2024, arising out of Saur Bazar P.S. Case No. 86 of 2024,
subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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