

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78746 of 2023

Arising Out of PS. Case No.-175 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

Pawan Singh Son Of Ramjee Singh Village Gamhari, Ps -Baikunthpur,
District -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachina, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Baikunthpur P.S. Case No. 175 of 2021 dated 10.06.2021 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, there was an orchestra for a marriage near the informant's house from where an obscene songs were playing. On being objected by the informant's son, the petitioner and the co-accused persons are alleged to have abused and assaulted him. It is further alleged that the accused persons slammed the informant's son on the ground and the co-accused Shailesh Sah assaulted him with



knife on his rib. Thereafter, the informant brought the victim to the hospital from where he was referred to a higher center but the victim died on the way to the hospital.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The specific allegation of assaulting the deceased with knife is against the co-accused, Shailesh Sah. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 14.10.2022 passed in Cr. Misc. No. 60192 of 2021. It is further submitted that the name of the petitioner is mentioned in the fardbeyan of the informant as Barun Singh (Sl. No. 7) but the name of the petitioner mentioned in the accused column of the F.I.R. is Pawan Singh (Sl. No. 7). The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gopalganj in connection with Baikunthpur P.S. Case No. 175 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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