

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83911 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- PARASBIGHA District- Jehanabad

Nitish Kumar Son of Rajesh Paswan R/o vill - Chandharia, Tola - Jankibigh,
P.S. - Parasbigha, Distt. - Jehanabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

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

ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in Parasbigha P.S. case No.
180 of 2022 instituted for the offences under Sections 341, 323,
306, 504, 201, 34 of the Indian Penal Code..

3. Prosecution allegation, in short, is that informant
got information that her second daughter had been killed by the
accused persons and disposed of her body.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submits that post-mortem has
not been conducted in this case. After investigation, the police
submitted charge-sheet in this case. Learned counsel for the



petitioner further submits that there is no allegation of abatement against the petitioner. The true fact is that an altercation took place between the petitioner and the deceased and thereafter the deceased committed suicide. The petitioner is in custody since 08.09.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. In paragraphs 6 and 7 of the case diary, the witnesses have stated that the petitioner entered into the house of the victim and abused her whereafter the deceased committed suicide.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and charge-sheet being submitted, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parasbigha P.S. case No. 180 of 2022 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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