

Arising Out of PS. Case No.-195 Year-2022 Thana- PARSABAZAR District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Singh, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Parsa Bazar P.S. Case No. 195 of 2022 lodged under Sections 341, 323, 307, 504, 506 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been lodged against six named accused persons including the present petitioner. It transpires from the F.I.R. that the informant has alleged that he went for walk in the morning and in the meantime, his Sauteli Maa and her family members attacked by iron rod with a view to kill him due to which informant injured and faint. Subsequently, all accused persons have thrown him on the railway track.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the cause of dispute has already alleged in the F.I.R. that it is a land dispute. Counsel further submits that the petitioner and informant's side are descendant of common ancestor.

5. Counsel submits that petitioner's antecedent is clean and he is in custody since 19.08.2022.

6. Upon specific query whether charge has been framed or not. Counsel submits that charge has already been framed in this case and evidence is going on.

7. Learned counsel for the State opposes the prayer for bail.

8. It transpires to this Court that when charge has been framed, then in that case, no purpose shall be solved by keeping the accused person in custody.

9. 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 Addl. Sessions Judge-21, Patna in connection with Sessions Trial No. 58 of 2023 arising out of Parsa Bazar P.S. Case No. 195 of 2022,, subject to the following conditions as laid down under Section 437(3) of



Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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