

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30717 of 2013

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1. Md. Tabrej S/O Badruddin Resident Of Village- Oria, P.S.- Srinagar,
District- Purnea

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gyanand Roy, Advocate
For the Opposite Party : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

3 24-12-2013 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in relation to
Kritynand Nagar (Srinagar) P.S. Case No. 36/2013, instituted
under section 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that firstly
no case is made out under section 302 of the Indian Penal Code
and at best it can be a case under section 304. It is further pointed
out that it is alleged that the deceased on small matter was pushed
in the month of December, 2012. He fell down, hurt him, he was
treated and late in January, 2013 he died. Thereafter, a first
information report had been lodged. There was no intention to kill
the deceased at all.



Be that as it may, considering the facts and circumstances aforesaid, in the event of arrest or surrender within four weeks from today in the court below, the sole petitioner, namely, Md. Tabrej is directed to be released on bail on executing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Purnea, in connection with Krityanand Nagar (Srinagar) P.S. Case No. 36/2013 dated 24.01.2013, subject to the conditions as embodied in section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J)

MPS/-