

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49267 of 2014

Arising Out of PS.Case No. -48 Year- 2014 Thana -PIYAR District- MUZAFFARPUR

Sahadat Mian, Son of Late Ishaque Mian, Resident of Village - Rampur Mahinath, P.O. Srikant, Police Station - Piar - District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar, Advocate

For the Opposite Party/s : Mr. Abhay Kr. Roy(APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Pear P.S. Case No.48 of 2014, corresponding to Sessions Trial No.742 of 2014, registered under Section 302 of the Indian Penal Code.

The accusation is that the petitioner threw the deceased Gopal Sahani, the brother of the informant, Raju Sahani, in course of scuffle, under the wheel of the tractor in which he sustained injury and died.

Learned counsel appearing on behalf of the petitioner submits that while the present case was instituted on the basis of the written report of the informant under Section 302 of the Indian

Penal Code against the petitioner but the police on investigation submitted chargesheet under Section 304 of the Indian Penal Code arriving at the conclusion that in course of scuffle in between the petitioner and the deceased, the deceased was in drunken state and he fell down on the earth and the wheel of the tractor crushed him and he caused injury and died. The petitioner having no criminal antecedent is in custody since 02.06.2014.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 10th Additional Sessions Judge, Muzaffarpur, in connection with Pear P.S. Case No.48 of 2014 corresponding to Sessions Trial No.742 of 2014.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--