

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28684 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -PATRAKARNAGAR District- PATNA

Sunny Kumar Gupta Son of Amar Kumar Gupta, Resident of Mohalla- Old Gurhati Sahebganj Chapra, P.S. Town, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate.
Mr. Satish Chandra, Advocate
For the Informant : Mr. Amresh Kumar Jha, Advocate.
For the State : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2016 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

The petitioner is languishing in custody since 3.4.2016 in connection with Patrakar Nagar P.S. Case No. 86 of 2016 registered for offences under Sections 323, 341,324 and 307 of the Indian Penal Code. .

The prosecution story, in brief, is that the informant was living with the family in the house of one Rakesh Sinha as a tenant. On the date of occurrence, her cousin Devar, the petitioner, came there and assaulted her by knife blow on her neck and chest as also on other parts of the body. Also the petitioner closed the door of the room and fled away. On hulla, neighbours came and caught hold the petitioner with knife.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 3.4.2016. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. He is said to be the Devar of the informant and no motive is alleged against him. The injury report is of private hospital. The same cannot be relied upon. There is a family dispute between the petitioner and the informant. It is further submitted that the petitioner may be released after completion of six months in custody from 3.4.2016.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail **after completion of six months in custody from 3.4.2016** on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna in connection with Patrakar Nagar P.S. Case No. 86 of 2016.

(Sudhir Singh, J)

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