

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31457 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -KARJAIN District- SUPAUL

Binod Thakur Son of Laxmi Thakur, resident of Village- Padum Nagar,
Ward No.2, Police Station- Karjain, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 20-10-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

Petitioner is said to have given mungra blows on the
head of the deceased but the aforesaid allegation is not
corroborated by the inquest report as the investigating officer did
not find any external injury on the person of the deceased at the
time of preparation of inquest report. So far as post mortem report
is concerned, some part of post mortem report appears to be
missing because only a portion of post mortem report has been
sent by the court below. However, the available post mortem

report goes to show that the doctor could not ascertain the exact cause of death of the deceased. So, even if it assumed that petitioner gave mungra blow causing head injury to the deceased, then also, the aforesaid injury was not sufficient to cause death of the deceased as per post mortem report of the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Pandey, Judicial Magistrate, Birpur in connection with Karjain P.S. Case No. 37 of 2016.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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