

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51294 of 2016

Arising Out of PS.Case No. -280 Year- 2015 Thana -KANTI District- MUZAFFARPUR

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Md. Hannan Son of Hanif Resident of Village-Harpur Machiya O.P.
Panapur, P.S.-Kanti, District-Muzaffarpur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kanti P.S.
Case No. 280 of 2015 registered for the offence punishable under
Section 304 of the Indian Penal Code.

Allegedly, the informant was going on motorcycle with
his brother namely, Antim Kumar, as soon as he reached near
Harpur Machiy, the petitioner was going carelessly taking bamboo
in his hand and carelessly turned the bamboo on the road,
resulting, back portion of the bamboo entered into the neck of
Antim Kumar, resulting profused bleeding. He was brought to
hospital for treatment at Muzaffarpur from where he was referred
to Patna for better treatment. During course of treatment he died.

Submission is of false implication and that there is no
intention to commit culpable homicide, it was merely an accident,



the petitioner is suffering in custody since 21.09.2016 and by remaining in custody, he has sufficiently been penalized.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., West, Muzaffarpur in connection with Kanti P.S. Case No. 280 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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