

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20044 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -KATRA District- MUZAFFARPUR

1. Md. Majid Sah S/o Mohibul Sah@Mahibul Sah Resident of village-Dargah, PS Katra, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s Mr. Pranav Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 06.05.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Present case was registered on 28.9.2015 for the offences punishable under section 307 and other minor sections of the Indian Penal Code. Subsequently, on 19.11.2015 section 302 of the Indian Penal Code was also added.

The first information report reflects that a quarrel took place between the informant and the petitioner on the point of fixing board and in that quarrel, the petitioner assaulted the informant's wife and also pelted stones which hit the informant's daughter as a result of which informant's two years old daughter died in course of her treatment.

The contention on behalf of the petitioner is that even if the aforesaid story assumed to be true for the sake of argument, intention of the petitioner was not to kill either daughter of the informant or his

wife and, at best, it is case of section 304 of the Indian Penal Code.

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/- with two sureties of the like amount each to the satisfaction of Sri Sukun Kr. Manjhi, Judicial Magistrate, Ist Class, Muzaffarpur in Katra P.S. Case no. 99/2015.

(Hemant Kumar Srivastava,J)

shahid

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