

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53765 of 2016

Arising Out of PS.Case No. -210 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Pappu Sah, Son of Late Shivnandan Sah, Resident of Village- Sahebganj
Itahari, Police Station- Murliganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate.

For the informant : Mr. Bishwanath Prasad, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 302/34 of the Indian Penal Code.

It has been submitted that in the postmortem
examination report, only one injury was found on the head of the
deceased. There is allegation in the written report that Shambhu
Sah and Pappu Sah assaulted the deceased with sharp cutting
weapon and butt of three-nut.

The learned counsel for the informant has submitted
that there is specific allegation against the petitioner. It has
further been submitted that the trial has now started in the court
below and two witnesses have already been examined.



The learned Sessions Judge has mentioned in the impugned order that postmortem report shows the cause of death- haemorrhage and shock due to lacerated wound on head size 3"x2"x1" due to hard and blunt object. The petitioner is alleged to have assaulted the father of the informant with butt of three - nut. It is mentioned in paragraph-3 of the bail petition that the petitioner has no criminal antecedent and he is in custody from October, 2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Murliganj P.S. Case No. 210 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner is directed to cooperate in the trial and make his presence on each and every date of trial and any two subsequent defaults will result in cancellation of the bail bonds in the court below.

(Sanjay Priya, J)

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