

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51868 of 2017

Arising Out of PS.Case No. -96 Year- 2015 Thana -PIYAR District- MUZAFFARPUR

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Vinod Thakur @ Binod Thakur S/o Kishuni Thakur , R/o Village-
Baijathpur, P.S.- Pear (Hatha O.P.), District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 22-12-2017 Heard the learned counsel for the petitioner and the

State.

The petitioner seeks bail in connection with Piyar
(Hatha O.P.) P.S. Case No. 96 of 2015 dated 25.10.2015 instituted
for the offences under Sections 147, 149, 341, 323, 302 and 504 of
the Indian Penal Code.

The petitioner is alleged to have given a bamboo
blow on the head of the deceased whereafter the deceased was
assaulted by several persons.

Learned counsel for the petitioner has submitted that
because of the dispute over cutting of a pipe, the occurrence has
taken place. It has also been submitted that because of the anger
against the petitioner, he has been named in the FIR as the main



accused and the author of the fatal injury. Other accused persons who too are alleged to have assaulted the informant and the deceased have been granted either anticipatory bail or regular bail by different Benches of this Court.

The petitioner has remained in custody since 29.06.2017.

For the fact that there was no premeditation and the occurrence took place in a flash of tamper, this Court is inclined to grant bail to the petitioner. While saying so, the Court has also taken note of the period of custody of the petitioner.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge V-cum-Additional Chief Judicial Magistrate, Muzaffarpur in connection with Piyar (Hatha O.P.) P.S. Case No. 96 of 2015.

(Ashutosh Kumar, J)

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