

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33085 of 2017

Arising Out of PS.Case No. -389 Year- 2016 Thana -TEKARI District- GAYA

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Pintu Bind, son of Kamta Bind, resident of Village- Imaliya Chak, Police
Station- Tekari, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Tekari P.S.Case No. 389 of 2016 registered for the offences
punishable under Section 302 of the Indian Penal Code.

Allegation against the petitioner is of assaulting the
deceased, who is his son, by spade.

It has been submitted on behalf of the petitioner that
FIR itself shows that there was scuffle between the parties and at
the spur of moment the occurrence took place and there was no
intention of the petitioner to kill him and he is in custody for four
months.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, I am not inclined to grant bail to the petitioner at this stage.

However, petitioner may renew his prayer for bail before the court below after framing of charge in this case, which shall be considered by the trial court on the basis of materials available on record, without being prejudiced by this order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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