

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20787 of 2017

Arising Out of PS.Case No. -168 Year- 2016 Thana -JAKKANPUR District- PATNA

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1. Sumit Dayal Singh @ Monu Singh S/o late Swami Dayal Singh Resident of Mohalla- Mithapur, Khagaul Road, Near Barati Clinic, P.S. - Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.K.Lal

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Jakkanpur P.S.Case No.168 of 2016 dated 07.07.2016 corresponding to G.R.No.4372 of 2016,, registered for offences punishable under Sections 302 & 201/34 of the Indian Penal Code.

Allegation as per F.I.R. is that the petitioner assaulted the deceased by fists and slaps causing death of the deceased.

It is submitted on behalf of the petitioner that the F.I.R. itself shows that the deceased entered into the house of the petitioner in the naked condition and tried to outrage the modesty of his wife, as such he assaulted by fists and slaps but he had no intention to commit murder and at best this is a case under Section 304 of the Indian Penal Code. The petitioner has remained in



custody for about nine months.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Patna in connection with Jakkanpur P.S.Case No.168 of 2016 dated 07.07.2016 (G.R.No.4372 of 2016).

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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