

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13503 of 2018

Arising Out of PS.Case No. -17 Year- 2017 Thana -SAMHO District- BEGUSARAI

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1. Kaushal Singh, son of Sugga Singh, Resident of Village- Akbarpur,
Puranidih, Police Station- Samho, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 18-04-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 302/34 of the Indian Penal
Code.

Petitioner is full brother of the deceased. For land
dispute the petitioner allegedly assaulted with the backside of a
tangi causing injury to the deceased at his face as a result whereof
he died. The post mortem report would reveal that the injury was
caused with hard and blunt substance.

Learned counsel for the petitioner submits that if
the petitioner would have intention to commit murder he would
have used the tangi part and not the lathi part of the weapon.



Petitioner is in custody since 06.09.2017. Investigation of the case is already complete and the petitioner is ready to cooperate with the trial.

Considering the fact that the informant is the witness of the occurrence as well as considering the nature of allegation against the petitioner which at least depicts knowledge on the part of the petitioner, let the petitioner, above named, be released on bail **after completion of one year of custody if the trial is not concluded in the meantime** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Shamho P.S. Case No.17 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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