

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10563 of 2018

Arising Out of PS. Case No.-199 Year-2017 Thana- BAKHTIARPUR District- Saharsa

Santosh Kumar, S/o Ram Prasad Sharma, R/o Village- Kumadan Tola Ward
No.03, P.S.- Simri Bakhtiarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma
For the Opposite Party/s : Mr. SRI ANANT KUMAR

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with
Bakhtiarpur P.S. Case No.199 of 2017, registered under Sections
302 and 324/34 of the Indian Penal Code.

Allegation in brief is that due to land dispute over the issue
of erecting boundary wall, the petitioner is said to have dragged
down the informant's father and assaulted on his back with the
back of the spade causing his death.

Learned counsel for the petitioner submits that the
allegation is false, petitioner is made accused due to land
dispute. The allegation is that he assaulted on the back of the
deceased by back of the spade, a heavy instrument, but the post-
mortem report reveals that no external injury, opinion has been



reserved due to non-availability of Biochemical report of the viscera, the investigation has been completed and the petitioner is in custody since 05.07.2017 having no criminal antecedent.

Having considered the said facts and circumstances, petitioner Santosh Kumar is directed to 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 CJM, Saharsa in connection with Bakhtiarpur P.S. Case No.199 of 2017.

(Arun Kumar, J)

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