

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53769 of 2018

Arising Out of PS. Case No.-170 Year-2017 Thana- MADHEPURA District- Madhepura

Sintu Kumar, S/o Dinesh Paswan, Resident of Village- Rariyaha, P.S.-
Ghailarh, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 30-10-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Madhepura
(Ghailarh OP) P.S.Case No. 170 of 2017 registered under
Sections 147, 148, 149, 302, 307, 323, 324, 341, 447, 504 and
506 of the Indian Penal Code.

It is alleged in the written report that this petitioner
assaulted one Mithilesh (since deceased) with *Farsa* on his
head.

Learned counsel for the petitioner submits that altercation
has taken place in between shopkeepers and villagers on the
issue of removal of encroachment, which fact is mentioned in
para-7 of the case diary. He further submits that the informant
has given further statement before the police wherein he has not



levelled any specific allegation of overt act against the petitioner as mentioned in the written report. Learned counsel further submits that after death of Mithilesh, *Fardbeyan* was recorded by the informant, which fact find mentioned in para-40 of the case dairy wherein also he has not taken the name of this petitioner. He submits that postmortem report is available in the case dairy wherein the doctor has found the injury caused by hard and blunt substance.

Considering the aforesaid fact and circumstances, the prayer of bail of the petitioner is allowed. The petitioner, abovenamed, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Madhepura in connection with Madhepura (Ghailarh OP) P.S. Case No. 170 of 2017 with condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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