

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44170 of 2018

Arising Out of PS.Case No. -72 Year- 2018 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Dina Ram S/o Late Munni Ram, R/o Vill.- Kandihara, P.S.- Kudra,
District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Alok Kumar Jha

For the State : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 02-08-2018 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 04.03.2018
in connection with Kudra P.S. Case No. 72 of 2018 registered for
the offences punishable under Sections 341/323/325/307/504/34
of the Indian Penal Code. Later on, Section 302 of the Indian
Penal Code has been added.

Learned Senior Counsel for the petitioner submits
that actually there was no repetition of blows so as to attract the
provisions of Section 307 of the Indian Penal Code and, thereafter,
the person who has been attacked died. Later converting the case
under Section 302 of the I.P.C. the police have now submitted
chargesheet against the accused person under Section 304 of the



Indian Penal Code. Learned Senior Counsel for the petitioner further submits that admittedly there was no intention of killing as the entire dispute arose on account of throwing of stone on the Gumti of co-accused Doma Ram and it is only a single blow which led to the death. Learned Senior Counsel further submits that there was no intention to take his life and the injury purported to have been caused, initially, was simple in nature, but due to medical negligence, the deceased died.

Considering the entire facts and circumstances and the nature of allegations and that this petitioner is having no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Kudra P.S. Case No. 72 of 2018.

(Anjana Mishra, J)

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