

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6141 of 2019

Arising Out of PS. Case No.-280 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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ARBIND DAS, S/o Laxaman Das Resident of Village - Koluharwa, Ward No. 1, P.S. - Nagar, Motihari, District - East Champaran, at present resident of Village - Kuwari Devi Chowk, Near Deorahwa Baba Asthan, Ward No. 15, P.S. - Motihari Town, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case initially registered under Sections 341, 307. 324, 326/34 of the Indian Penal Code and later on, Section 302 of the IPC was also added.

The prosecution case, in brief, is that due to family dispute, the petitioner attacked his father, the informant (since deceased), with Chura indiscriminately as a result of which, he sustained injury and later on succumbed to that injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner is in custody since 17-05-2018. Charge sheet has already been submitted. The petitioner has falsely been implicated in the present case. Due to a petty reason, a scuffle took place in the house and in a spur of moment, the petitioner is said to have used the dagger in question. The petitioner had no intention to commit murder of his father.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The petitioner is son of the deceased. The allegation of assault is against the petitioner. The postmortem report corroborates the allegation, made in the FIR.

Considering the nature and manner of allegation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Motihari Town P.S. Case No. 280 of 2018 is rejected, at this stage.

(Sudhir Singh, J)

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