

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7994 of 2019

Arising Out of PS. Case No.-204 Year-2018 Thana- AKHODHIGOLA District- Rohtas

Santosh Singh @ Dara Singh, Male, 41 years, Son of Ganga Dayal Singh,
Resident of Village - Kesho Bigha, P.S. Akodhi Gola, Dist- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-02-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
10.09.2018 in a case registered for the offences punishable
under Sections 307 and 326 of the Indian Penal Code.

The prosecution case as per the Ferdbeyan of Anand
Kumar recorded by S.I., Pankaj Kumar submitted to S.H.O.,
Akorhi Gola Police Station is to the effect that on 26.08.2018 at
12.30 P.M., the younger brother of the informant, Avinash
Kumar along with his maternal uncle, Raju Kumar went to the



Pappu Kirana Shop by a motorcycle, where the petitioner Santosh Singh @ Dara Singh came and gave knife blow on the stomach of the informant's brother and fled away from the place of occurrence.

It is submitted by learned counsel for the petitioner that admittedly, there is not any eye witness of the occurrence. It is further submitted that though the accusation has been corroborated by the medical report and injury has been found to be grievous in nature, but there is no accusation of repeating the blow and investigation has already been concluded. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that there is specific accusation of assault against the petitioner.

Considering the fact that there is no accusation of repeating the blow, there being no eye witness of the occurrence and the impugned order does not suggest any direct evidence against the petitioner, coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent let the above named petitioner 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



SDJM, Dihri, Rohtas in connection with **Akorhi Gola P.S.**
Case No.204 of 2018.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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