

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45066 of 2019**

Arising Out of PS. Case No.-5 Year-2019 Thana- KOTHIGRAM District- Gaya

SINTU BHARTI Son of Naresh Bharti Resident of Village- Sobari, P.S.-  
Kothi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Advocate  
For the Opposite Party/s : Mr. Ahmad Ali

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3      13-09-2019                      Heard the learned counsel for the petitioner and  
the State.

The petitioner seeks bail in connection with  
Kothi P.S. Case No. 05 of 2019 dated 24.02.2019  
instituted for the offence under Section 302 of the  
Indian Penal Code.

The deceased is the father of the informant. In  
the night of the occurrence, the informant heard that the  
door of the room of his father (deceased) was opened.  
He rushed to the room of his father only to find his  
father dead. He also saw the petitioner running away  
from his house with a wooden implement.

The cause of occurrence as stated in the FIR is  
that the petitioner and his family members suspected  
that the father of the informant (deceased) played black



magic on the family of the petitioner which had led to the death of the niece of the petitioner. It appears that because of such apprehension in the mind of the informant, the petitioner has been made accused in this case. There is no witness to the occurrence of assault. The possibility of falsely implicating the petitioner in such an event with such level of education of the parties cannot be ruled out.

The petitioner is in custody since 26.02.2019.

Considering the aforestated facts the petitioner above named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Kothi P.S. Case No. 05 of 2019.

**(Ashutosh Kumar, J)**

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