

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53394 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- SAMASTIPUR District- Samastipur

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Suman Kumar Thakur @ Suman Kumar, S/o Late Upendra Thakur, R/o village- Barah Pathar, Ward No. 15, P.S.- Samastipur Town, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and State as well as the informant..

The petitioner is in custody in connection with Samastipur Town P.S. Case No. 102 of 2019 for the offence under Sections 341, 323, 504, 324 and 307 of the Indian Penal Code.

Allegation against the petitioner is that he stabbed the son of the informant.

The petitioner and the informant are co-brothers.

Earlier the informant has extended helping hand to the petitioner on account of marriage of his daughter and when the informant demanded money, his son was invited and instead of returning money, the son of the informant was stabbed.

Learned counsel for the petitioner submits that the



injuries sustained by the son of the informant is simple in nature, which is disputed by the learned counsel for the informant. There is no dispute that the petitioner and the informant are co-brothers and on account of non-refund of money advanced by the informant, there was strange relationship between the informant and the petitioner.

Learned counsel for the petitioner submits that due to old grudge, petitioner has been made accused in the instant case. There is no motive to commit such crime. The petitioner is in custody since 22.06.2019.

Considering the fact that the petitioner and the informant are blood relative (co-brothers), the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 102 of 2019 with the condition that both the bailors should be the in-laws of the petitioner.

(Anil Kumar Upadhyay, J)

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