

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59038 of 2019

Arising Out of PS. Case No.-199 Year-2019 Thana- BARHARA District- Bhojpur

SHESH KUMAR BAITHA @ SHESH BAITHA Son of Laate Badri Nath
Rajak @ Badri Nath Baitha Resident of Village and P.O.- Barhorapur, P.S.-
Barahara, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 27-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 307 and 337 of the
Indian Penal Code.

A quarrel between two brothers was going on for
share in the house. The petitioner assaulted with a brick to his
younger brother causing injury at the head and as a result of that
injury, the younger brother of the petitioner, namely, Dev Das
Rajak died subsequently. Petitioner is in custody since
11.06.2019.

Submission is that investigation of the case is already
complete and from the act alleged no inference of knowledge or
intention to commit murder or culpable homicide could be drawn.



There is no allegation of repetition of blow.

Considering the facts aforesaid and completion of investigation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barhara Police Station Case No. 199 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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