

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74685 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- MAJHAULIA District- West Champaran

SK. AMIR Son of Late SK. Sadik Resident of Village - Bahuarwa, P.S.-
Majhauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha, Adv.

For the Opposite Party/s : Mr.Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
28.04.2019 in a case registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

The prosecution case is that the informant, Nargis
Khatoun submitted a written report to the SHO, Majhauriya
Police Station is to the effect that on 23.03.2019, his
neighbours 10 in number, including the petitioner, came and
assaulted the husband of the informant with iron rod and farsa.
As a result, on 24.04.2019, the husband of the informant died
in course of treatment.

It is submitted by learned senior counsel for the
petitioner that for the occurrence of 23.03.2019, the written



report was submitted on 28.04.2019. The post-mortem reflects no external injury except one long healed and old scar mark on the right parietal region of skull of the victim and the caused of death has been opined as tuberculosis. It is further submitted that in fact in the background of land dispute, the accusation has been levelled against the petitioner and the investigation has already been concluded. Though the petitioner is accused in one other case, apart from the present case, but he is on bail.

Learned APP for the State submits that the petitioner is named in the FIR with specific accusation.

Considering the delayed lodging of the case, accusation not being corroborated by the medical opinion and investigation already being concluded and the period under custody, 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 CJM, Bettiah, in connection with Majhauriya P.S. Case No. 195 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

