

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4779 of 2020

Arising Out of PS. Case No.-246 Year-2019 Thana- KISHUNPUR District- Supaul

PRAKASH SHARMA @ JAI PRAKASH SHARMA Son of Late Basudeo
Sharma Resident of Village-Bahurwa, P.S-Kishanpur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-05-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Kishanpur P.S. Case No.246 of 2019 registered under Section 307 and other minor Sections of the Indian Penal Code.

The informant alleged that the petitioner demanded money from the husband of the informant and on denial to give money to the petitioner, the petitioner is alleged to have stabbed the husband of the informant in his abdomen.

Learned counsel for the petitioner submits that petitioner is own cousin of the husband of the informant. Petitioner has got only daughter who has already been married. The informant and her husband wanted to grab the land of the petitioner that is why a false case has been lodged. It is submitted that all the witnesses have stated that firstly some



altercation and scuffle took place between the petitioner and the husband of the informant. Thereafter, petitioner is alleged to have stabbed. It is further submitted that one superficial injury having 1"x1/4"x1/2" deep was found in the abdomen of the husband of the informant. Opinion with regard to the nature of injury was kept reserved but till date the final opinion has not been obtained. There is no repetition of blow. Petitioner is in jail for about seven months.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that there is no repetition of blow although there was no intervening circumstances and petitioner is in jail for about seven months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No.246 of 2019.

(Prabhat Kumar Jha, J)

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