

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28330 of 2020**

Arising Out of PS. Case No.-386 Year-2019 Thana- PURNEA SADAR District- Purnia

Kanhaiya Sah @ Munna Sah, S/o Ramdyal Sah, Resident of Village-Abdulla
Nagar, Kalighat, P.S.-Sadar, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Advocate
For the Opposite Party/s : Mr. Satyendra Pd., A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 14-12-2020 Heard learned counsel for the parties through Video
Conferencing.

Petitioner seeks bail in a case registered for the
offence punishable under Section 341, 307, 504 and 302/34 of
the Indian Penal Code.

As per the prosecution case, this petitioner stabbed
with knife his six month old son who died during treatment.

It is submitted on behalf of the petitioner that
petitioner is the husband of the informant and father of the



deceased. It is further submitted that some quarrel took place between petitioner and informant and in course of this quarrel, the deceased fell on iron grill, as a result of which, he sustained injury and died. It is further submitted that during course of investigation none of the neighbour supported the prosecution case. Petitioner is in custody since 28.08.2019 and charge-sheet has already been submitted. Petitioner has clean antecedent as stated in paragraph no.3 of the petition.

However, learned A.P.P. for State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, 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 Additional Sessions Judge-IV, Purnea, District- Purnea in Sadar Police Station Case No. 386 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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