

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40832 of 2019

Arising Out of PS. Case No.-109 Year-2012 Thana- KHUDAGANJ District- Nalanda

MD. SAMIR @ DARGAHI Son of Late Md. Haider Ansari Resident of
Village Vaira, Police Station- Khudaganj, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Sinha 2

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 02-03-2020 The petitioner seeks regular bail in connection with
Khudaganj P.S. Case No. 109 of 2012, registered for offences
punishable under Section 302 of the Indian Penal Code.

Allegation against the petitioner is of committing
murder of his own father.

It appears from the record, that petitioner is suffering
from mental illness and prayer has been made for his released
on undertaking by his mother and sister. However, learned Trial
Court has rejected his prayer on the ground that he is so
aggressive that he may harm himself and to others also and he
has referred him to some Psychiatric Center.

It has been submitted on behalf of the petitioner that
petitioner has been in custody since 19.11.2012 and his mother
and sister of the petitioner is ready to undertake that they will



take care of the petitioner and the petitioner.

Heard learned A.P.P. also.

Having heard both sides, considering the above facts and circumstances, though, I am not inclined to enlarge the petitioner on bail, however, learned Trial Court is directed to obtain the report from Aayurvigyan Sansthan, where the petitioner is under treatment about the mental health of the petitioner as to whether his release will cause harm to others and as to whether her mother and sister can control him in such condition and after receipt of the same, if he considers that release of the petitioner will not harm anyone, shall pass an appropriate order, if any fresh application for grant of bail is filed in this case.

This application stands disposed of.

(Vinod Kumar Sinha, J)

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