

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86662 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- SINGHIYA District- Samastipur

Gulab Nadaf S/o Ijrail Nadaf @ Md. Izrail Nadaf R/o village- Basauli, P.S.-
Singhia, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vinay Kumar Mishra, Advocate
For the Opposite Party : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks bail in connection with
Singhia P.S. Case No.75 of 2019 registered under Sections 341,
323, 379, 395, 385, 506/34 of the Indian Penal Code.

It is contended by learned counsel for the petitioner
that there is case and counter case. The petitioner has been
implicated due to land dispute and enmity existing between the
parties from before. He is a co-villager and though there is
allegation that he assaulted the father of the informant with iron
rod, there is no allegation of repetition of any blow. It is further
contended that there was no intention to kill the father of the
informant and subsequent addition of Section 307 of the Indian



Penal Code is patently bad in law. It is also contended that the petitioner is a young boy aged about 22 years and having no criminal antecedent he is in custody since 27.11.2019. He is not likely to abscond or tamper with the evidence as the investigation of the case has been completed and charge-sheet has already been submitted in the court.

Learned counsel for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Rosera (Samastipur) in connection with Singhia P.S. Case No.75 of 2019.

(Ashwani Kumar Singh, J)

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