

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19833 of 2020

Arising Out of PS. Case No.-139 Year-2019 Thana- MORKAHI District- Khagaria

SATROGHAN SINGH @ SATRUDHAN SINGH @ KALLU Son of Late Mahendra Singh Resident of Village - Navtoliya, P.S.- Morkahi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 05-01-2021 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Morkahi P.S. Case No. 139 of 2019, registered for the offence punishable under Sections 341, 323 and 302/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having assaulted the brother of the informant at the alleged place of occurrence on the alleged date and time of occurrence by means of lathi and bricks resulting in the brother of the informant sustaining head injury, whereafter he was carried to the Sadar Hospital, Khagaria and then he was



referred to Begusarai for better treatment, however, he died during the course of the treatment, subsequently.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 16.10.2019. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against the petitioner and a land dispute was prevailing from before, which had resulted in the said occurrence. It is further submitted that there was no oblique intention on behalf of the petitioner to harm the deceased.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also in the case diary, I find that a general and



omnibus allegation has been levelled against the accused persons including the petitioner herein of having assaulted the deceased by lathi and bricks resulting in him sustaining injuries, which had led to his subsequent death as also I find that though the occurrence had taken place on 14.10.2019, but the FIR has been lodged on 16.10.2019 only. This Court also finds that charge-sheet has been filed against the petitioner and the investigation is complete, hence, no purpose would be served by detaining the petitioner in custody, thus, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Khagaria in connection with Morkahi P.S. Case No. 139 of 2019.

(Mohit Kumar Shah, J)

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