

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29922 of 2020

Arising Out of PS. Case No.-257 Year-2019 Thana- MOKAMAH District- Patna

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Anoj Saw @ Anuj Saw @ Anuj Kumar Son of Late Anandi Saw Resident of
Village - Shivnar, P.S. Mokama, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner in connection with Mokama P.S. Case No.257
of 2019 registered under sections 302 and 34 of the Indian Penal
Code.

As per allegation in the FIR, it is stated by the
informant that over a dispute relating to a mango tree, the eight
named accused persons including the petitioner herein came
variously armed, caught hold of the father of the informant and
the petitioner struck him with iron rod on the head as a result of
which he fell down. It is thereafter stated that on instigation by
Lalan Saw, the other accused persons namely Manoj Saw,



Ramcharan Kumar, Deepak Kumar and others started to assault the father of the informant with *lathi*, rod etc. The father of the informant died.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself it would transpire that the occurrence has taken place over a trivial dispute. It is further submitted that the nature of allegation has been exaggerated in so far as while the six accused persons are stated to have assaulted the father of the informant with rod, *lathi* etc., on perusal of the postmortem report it would transpire that only one stitched wound by way of injury was found on the body of the deceased. It is submitted that the petitioner is in custody since 1.11.2019 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 1.11.2019 and the submissions made on behalf of the petitioner, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Mokama P.S. Case No.257 of 2019 on his furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned A.C.J.M.-
IV, Barh, Patna.

(Partha Sarthy, J)

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