

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30498 of 2020

Arising Out of PS. Case No.-88 Year-2018 Thana- RAUTA District- Purnia

MD. HASAN Son of Kutubuddin Resident of Village- Sirsi, P.S.- Rauta,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Dr. Amrendra Kumar, Advocate Mr. Md. Rashid Alam, Advocate
For the State	:	Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302/34 of the Indian Penal Code.

The earlier bail application of the petitioner was
rejected vide Annexure 3 to the supplementary affidavit with an
observation 'at this stage' taking into account that a single Dabia
blow was given on the spur of moment.

A report was called for from the trial court. It has been
reported that none of the prosecution witnesses has been
examined till date.

On behalf of the petitioner, it has been submitted that
the petitioner is in custody since 11.09.2018. Charge has already



been framed and there is no chance of trial being concluded in near future. As per the allegation, a single Dabia blow is said to have been given by the petitioner. No repetition of blow has been made. At best, it is a case for an offence under Section 304 of I.P.C. The petitioner has remained in custody approximately for more than two and half years.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District Sessions Judge Vth, Purnea in connection with Rauta P.S. case No.88 of 2018.

(Sudhir Singh, J)

Narendra/-

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