

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2769 of 2021**

Arising Out of PS. Case No.-99 Year-2020 Thana- NARPATGANJ District- Araria

Md. Kamil Khan aged about 50 years, Gender Male, Son of Kajir Khan @
Kagir Khan resident of village- Gokhlapur, Ward No. 02, P.S.- Narpatganj,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Md. Naushad Uzzoha

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 10-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Narpatganj P.S. Case No. 99 of 2020, registered for the offence under Section 307 and other allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have inflicted *farsa* blow on the head of informant's son, as a result of which, he received grievous injury on his head.

It is submitted on behalf of petitioner that due to grazing of the crop by she goat, altercation took place between the parties. There is no allegation of repetition of blow against this petitioner. There is also no allegation against this petitioner of tampering with the evidence. Petitioner has got no criminal antecedent and he is in custody since 22.06.2020. Chargesheet



has already been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties as well as the fact that petitioner has got clean antecedent and he is in custody since 22.06.2020 and investigation is complete, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 99 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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