

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9974 of 2021

Arising Out of PS. Case No.-636 Year-2019 Thana- ARA NAGAR District- Bhojpur

Santosh Bind @ Santosh Kumar S/o Late Hari Mohan Bind R/o Village- Bind Tola, P.S.- Town Thana Ara, Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Adv.
For the Opposite Party/s : Mr. Ram Chandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has filed the instant application for grant of regular bail in a case registered under section 302 of the Indian Penal Code.

As per allegation in the F.I.R., over a dispute it is stated that the petitioner assaulted the younger brother of the informant who sustained head injury on his head being banged on rod. He died on way to the hospital.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself it would be evident that there was no intention to commit murder. The incident took place on spur of the moment in which both the sides were injured. The same would be evident from the contents of the



postmortem report. The petitioner has no criminal antecedent and is in custody since 16.12.2019.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the contents of the postmortem report and the petitioner having remained in custody for 1 year 7 months, this Court directs the petitioner to be enlarged on bail in connection with Ara Nagar P.S. Case no. 636 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur

(Partha Sarthy, J)

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