

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36178 of 2021

Arising Out of PS. Case No.-212 Year-2020 Thana- NAUBATPUR District- Patna

MINTU SINGH @ MINTU KUMAR S/o Tirjugi Singh @ Tirjug Singh
Resident of Village- Bela, P.S.- Naubatpur, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Singh, Adv

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Naubatpur P.S.Case No.212 of 2020 registered for the offence under Sections 341,323,324 and 307 of the Indian Penal Code but the charge sheet has been submitted under Section 302 IPC.

The prosecution case, in short, is that the informant, Raj Kumari Devi, lodged the instant case, by way of giving an application, alleging therein that on 22.04.2020, petitioner, who happened to be agnate of her husband, assaulted the informant by sharp cutting weapon, but any how the informant saved due to using utensils in her hand. Thereafter the petitioner assaulted upon the head of her husband, who got serious injury upon his head and admitted to AIIMS Hospital for treatment and during



course of treatment he died later on.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. In fact the deceased is the cousin brother of the petitioner. He further submits that due to land dispute the petitioner has been implicated in the present case. He further submits that there is no eye witness of this case. He further submits that the petitioner is handicapped suffering from polio paralysis. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 24.04.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact and period of custody, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-2nd Danapur, Patna in connection with Naubatpur P.S.Case No.212 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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