

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1234 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- AMARPUR District- Banka

SUBODH SINGH Son of Moti Singh Resident of Village - Choti Kaitha, P.S.-
Phulidumar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate
		Mr. Rajeev Ranjan Sinha, Advocate
For the Informant	:	Mr. Pankaj Kumar, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned Senior Counsel for the petitioner,

learned counsel for the informant and learned A.P.P. for the

State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 302 and 504/34 of
the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that
the petitioner is in custody since 10.06.2021, charge-sheet has
been submitted and is a person with clean antecedent.

The informant alleges that petitioner along with Sintu
Singh and Rambhajo Singh at 12:30 p.m. came to his home
armed with lathi, danda and started abusing and assaulted the



informant and his family members and when his brother came to save him, he was also assaulted. Further, petitioner assaulted the mother of the informant on her chest by brick, leading to her death.

Learned Senior Counsel for the petitioner submits that from perusal of the FIR, it transpires that it was alleged that petitioner assaulted the mother of the informant on the chest leading to her death but the informant very wisely alleged that all the accused persons assaulted her till she died, when the same does not get corroborated from the postmortem report, which is Annexure-2 to the bail application as only one external injury was found i.e. abrasion 1½” x ½” on left side of forehead. Learned Senior Counsel further submits that the police after investigation submitted charge-sheet under Section 304 of the Indian Penal Code, as such, the allegation of murder of the mother of the informant stands belied. Learned Senior Counsel next submits that the mother it appears fell and on account of fall she died. Learned Senior Counsel also submits that co-accused Sintu Singh has been granted bail by order dated 22.03.2022 in Cr. Misc. No. 61758 of 2021.

Learned counsel for the informant and learned A.P.P. for the State vehemently opposes the prayer for regular bail of



the petitioner but are not able to meet the submission of the learned Senior Counsel for the petitioner that the police after investigation submitted charge-sheet under Section 304 and other allied sections of the Indian Penal Code.

Considering the fact that the petitioner is in custody since 10.06.2021, charge-sheet has been submitted and is a person with clean antecedent and taking into consideration the submissions made by the learned Senior Counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amarpur (Phullidumar) P.S. Case No. 274 of 2021.

(Satyavrat Verma, J)

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