

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71334 of 2023

Arising Out of PS. Case No.-349 Year-2021 Thana- ROSERA District- Samastipur

MINTU DAS @ MINTU KUMAR son of Laxmi Das Resident of Village-
Hanuman Nagar, Sihma W.No-11, PS- Rosera Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate
		Mr. Shishir Kumar Shishir, Advocate
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 05-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.661 of 2022 (arising out of Rosera P.S. Case no.349 of 2021) registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that as a result of the assault by the petitioner, who happens to be the brother-in-law (devar) of the informant, her husband died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case as a result of family dispute between the parties which would be evident from the F.I.R. itself. There is no eye witness to the alleged occurrence. The petitioner is in custody since 7.9.2022 and as



per instructions received, charge has been framed in the learned trial Court on 19.1.2023 itself and the case is pending in the Court of Additional District and Sessions Judge I, Rosera, Samastipur.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation, charge having been framed in the learned trial Court and the petitioner having remained in custody for more than 1 year 5 months since 7.9.2022, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.661 of 2022 (arising out of Rosera P.S. Case no.349 of 2021) 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 Additional Sessions Judge I, Rosera, District Samastipur.

(Partha Sarthy, J)

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