

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77091 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- BHIMPUR District- Supaul

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Akash Kumar Pintu @ Arvind Uranw Son of Satyanarayan Uranv Resident of
Village- Bhimpur, Ward No. 11, P.S.- Bhimpur, Distt.- Supaul
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bhimpur P.S. Case No. 64 of 2024, registered for the alleged offences under Sections 302, 201/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons killed the mother of the informant and threw her dead body on the Highway in the background of land dispute of the deceased with co-accused Satnarayan Uraon.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The informant is not eye witness as is apparent from the FIR as the informant is resident of Balua Bazar whereas the



occurrence is stated to have taken place in Bhimpur which is at the distance of 10 km. The entire allegation is based on account of land dispute as the father of the petitioner has purchased the land from the brother of the deceased long back in 1986-87 but no litigation had ever arisen with regard to land dispute. Learned counsel further submits that the deceased was an old lady left by the informant and her other family members and she used to survive on begging and she met with an accident on the Highway and this fact is also apparent from the postmortem report which shows the cause of death as cardio respiratory failure due to cardiogenic and neurogenic shock caused by renal tubular acidosis and external finding recorded all parts of body, i.e., head, neck, trunks were lacerated and all bones were fractured, i.e., crush injury of body. Such injury is possible only when a person suffers a road accident. The police has submitted charge sheet under Section 304/34 of the Indian Penal Code against the petitioner and co-accused Satyanarayan Uraon and this petitioner had been taken into custody prior to submission of charge sheet and other co-accused persons have been exonerated from the charges levelled against them. In these facts and circumstances, there could be no application of Section 302 read with Section 201 of the Indian Penal Code. The petitioner



is in custody since 31.07.2024 and is having clean antecedent.
Charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that during investigation it has come in the statement of the witnesses that the petitioner and other co-accused persons killed an old lady when she was staying at the house of co-accused Satynarayan Uraon.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the postmortem report showing accidental injury and also considering the doubtful nature of allegation against the petitioner and further considering the clean antecedent of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Supaul/concerned Court in connection with Bhimpur P.S. Case No. 64 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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