

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6719 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -KALYANPUR District- EAST CHAMPARAN
(MOTIHARI)

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Santosh Kumar Kushwaha @ Santosh Kumar Son of Mahendra Bhagat
Resident of Village- Bhopatpur, P.S.- Kotwa (Bhopatpur O.P.), District-
East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mrs. Veena Rani Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 23-07-2015 Heard both sides.

The petitioner seeks bail in a case under Sections
379, 411, 302, 34 of the Indian Penal Code.

The informant alleged that many persons came on a
pick-up van for committing theft of cows and buffalos and when
they were taking cows and buffalos on the pick-up van, the
villagers Rameshwar Singh and Virendra Singh raised alarm.
Chanardeo Baitha was standing at his door by the side of the road.
One of the accused persons, who were fleeing away after
committing theft, assaulted Chanardo Baitha on his head.
Chanardeo Baitha died on way to the hospital. The informant
alleged that the petitioner is the owner of the pick-up van bearing
registration no. BR 9E 4094. It is submitted that the petitioner is

not the owner of the aforesaid vehicle. The investigating officer has not collected any material to show that the vehicle belongs to the petitioner.

A report was called for from the Superintendent of Police, East Champaran, Motihari, who in turn vide his letter no. 6648 dated 11.07.2015 reported that the owner of the vehicle is Vijay Kumar Singh, S/o Nand Kishore Singh, Village Chitragupta Puri Maripur, P.S. Kajimohammadpur, District Muzaffarpur.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in Kalyanpur P.S. Case No. 253 of 2014.

(Prabhat Kumar Jha, J)

Dilip/-

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