

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18657 of 2015

Arising Out of PS.Case No. -202 Year- 2012 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Raju Kumar Patel, S/o Banshi Rai Patel, Resident of village- Birpur, P.S.
Kanti, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Rajendra Singh Shastri (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-08-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since
25.5.2012 in connection with Town (Muzaffarpur) P.S. Case
No.202/12 (S.Tr.No.621/12 for the offences alleged under
Sections 224, 511, 341, 323, 325, 353, 307, 34 of the I.P.C.

The prosecution case, in short, is that on 21.4.2012
at 0.52 the informant Hawaldar Md. Sadruddin carried accused of
Brahampura P.S.Case No.217/11, namely, Pradeep Kumar and
accused of Meenapur P.S.Case No.40/12 (the petitioner) in the
court of District and Sessions Judge and when he was returning
alongwith both the accused persons wanted to ease out and when
they were brought in urinal situated at New Building of court they

started to beat him and after falling down they climbed on his chest and on the cry of the informant some people assembled there and both the accused persons were caught by the people. He further alleged that they wanted to kill him and they succeeded in fleeing away. He was admitted in Sadar Hospital, where his treatment is going on.

It has been submitted on behalf of the petitioner that he is innocent and he was beaten badly and was sent back to jail without examining his injury. It has further been stated that although the charges have been framed but none of the witnesses has been examined up till now.

Under similar circumstance, Coordinate Bench of this Court had extended privilege of bail to other co-accused, Pradeep Kumar, vide order dated 13.3.2014 passed in Cr.Misc.52048/13. I do not propose to take a different view as the facts are same and similar.

Under such circumstances, let the petitioner, Raju Kumar Patel, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Ad hoc Addl. Sessions Judge-5th Muzaffarpur, in Sessions Trial No.621/12 arising out of Town (Muzaffarpur) P.S.Case No.202/12.

It is made clear that since the petitioner is an accused in four other cases as is evident from paragraph no.3 of the application and if the petitioner indulges in such offence of the same nature, his bail bonds shall be liable to be cancelled by the court below.

(Nilu Agrawal, J)

AnilKrSinha/-

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