

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26034 of 2015

Arising out of PS.Case No. -71 Year- 2014 Thana -BARHARA District- BHOJPUR

Raj Kumar Rai s/o Deomuni Rai, r/o,- Sabalpur, P.S. - Barhara, Distt.- Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Asha Devi(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2015 The petitioner is languishing in custody since 15.05.2014 in connection with BarharaP.S. Case No. 71 of 2014 for the offences instituted under Section 302/34 of the I.P.C.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that while the father of the informant had gone to market for purchase of vegetable, Dhurkheli Rai, this petitioner, Pardeshi Rai and Guddu Rai came and Dhurkheli Rai inflicted Fasuli blow on neck, shoulder and arm of the father of the informant to which he received injury. It is further alleged that this petitioner also assaulted the informant's father. Co-accused Pardeshi Rai and Guddu Rai started to assault, then the informant came to rescue, Bideshi Rai and others armed

with Danda etc., chased the family members of the informant to assault them. Kesho Rai, father of the informant died during treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.05.2014 and the charge sheet has been submitted in the present case. It has further been submitted that the petitioner has got no criminal antecedent. The main allegation of assault upon the deceased is against Dhurkheli Rai. There is no specific injury attracted against the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 A.C.J.M., Bhojpur at Ara, in connection with Barhara P.S. Case No. 71 of 2014.

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(Sudhir Singh, J)