

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36277 of 2015

Arising out of PS.Case No. -51 Year- 2014 Thana -NAWAKOTHI District- BEGUSARAI

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Fulchan Singh @ Fulchand Singh @ Santosh Singh, Son of Sagar Singh,
resident of village - Pahsara, Police Station - Naokothi, District – Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 08.02.2014
in connection with Naokothi P.S. Case No. 51 of 2014,
corresponding to Sessions Trial No. 544 of 2014, for the offences
instituted under Sections 386, 387 and 302/34 of the IPC.

The prosecution story, in brief, is that on 06.04.2014 at
3.30 P.M., the informant's son Himanshu was at the door, in the
meantime, the petitioner Fulchand Singh @ Santosh Singh, co-
accused persons Pramod Singh, Sanjeet Singh and Sagar Singh
came there and told that why his father did not pay Rs. 4,00,000/-
as demanded by them and took away her son in the Bhutaha
Gachhi and badly assaulted him. When the villagers reached there,
then they fled away. The family members of the informant brought

her son to Alexia Hospital for treatment where her son died in course of treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.02.2014 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. There is no specific allegation against the petitioner. General and omnibus allegation has been made against the petitioner. The petitioner and the informant are the Gota's and due to a petty reason, scuffle took place between the parties. At best a case under Section 304(i) or 304(ii) of the IPC is only made out.

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 5th Additional Sessions Judge, Begusarai in connection with Sessions Trial No. 544 of 2014, arising out of Naokohi P.S. Case No. 51 of 2014.

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(Sudhir Singh, J)