

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17133 of 2015

Arising Out of PS.Case No. -246 Year- 2014 Thana -ALOULI District- KHAGARIA

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Bikesh Kumar Son of Dinesh Mahto Resident of Village Echarua, Police
Station Alouli, District Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. P.K.Chaurasiya(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-09-2015

The petitioner is apprehending his arrest in Alauli
P.S. Case No.246/14 for the offences under Sections 447, 341,
326, 307/34 of the I.P.C. and Section 302 of the I.P.C. was added
later on.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The prosecution case, in brief, is that on 30.8.2014
the petitioner including co-accused Mukesh Kumar and ¾
unknown persons having variously armed with weapons encircled
the brother of the informant and after assaulting him fled away.
The injured was brought to the Sadar hospital for treatment and
then Ashoka Hospital, Rajendra Nagar where he died
on 11.9.2014.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that there is general and omnibus allegation against the petitioner. It is further submitted that the occurrence took place on 30.8.2014 whereas the present case was instituted after eleven days but to this effect no explanation has been made on behalf of the prosecution which casts a serious doubt on the prosecution.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Khagaria, in Alauli P.S. Case No.246/14 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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