

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6625 of 2015

Arising Out of PS.Case No. -23 Year- 2013 Thana -MANIYARI District- MUZAFFARPUR

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RAHUL KUMAR SON OF PARMESHWAR SETTI RESIDENT OF
VILLAGE - SUBADHIYA NUR, P.S. - MANIYARI, DISTRICT -
MUZAFFARPUR, BIHAR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Mukesh, Adv.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 27-04-2015

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

On 14.02.2013, while deceased Sheo Shankar was
proceeding towards his Sasural over motorcycle, dashed
against bicycle and on account thereof, Sheo Shankar as well
as bicyclist both sustained injury, were lifted to hospital by the
police officials. Subsequently thereof, the family members of
both the injured were informed. Sheo Shankar was taken to
Nursing Home and during course of treatment, he died.
Subsequently thereof, his family members cremated and then
after five days, instant case has been launched as well as at
that very moment one Vijay Kumar was also produced by the
prosecution. Petitioner happens to be the injured bicyclist.

As is apparent none is an eyewitness even then the
informant had alleged that after occurrence, an altercation took
place and during course thereof, his brother was assaulted.
After conclusion of the investigation charge sheet was

submitted under non-cognizable offences, 279, 304(A) of the IPC however, differing therefrom the learned SDJM took cognizance for an offence punishable under Section 279, 337, 338, 302, 34 of the IPC.

On account thereof, petitioner Rahul Kumar is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned SDJM, West, Muzaffarpur in connection with Maniyari P.S. Case No.23 of 2013 in the event of his arrest / surrender within four weeks in terms of condition so laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

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