

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20545 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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Basudeo Sharma @ Basdeo Sharma Son of Late Bhagat Sharma Resident
of Mohalla - Barhi Tola, Chatauni, P.S. - Chatauni, District - East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Ajay Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection
with Chhatauni P.S.Case No. 53 of 2015 instituted under Sections
147,148,149, 323, 324, 307, 379, 448 and 427 and Section 302 of
the Indian Penal Code.

The prosecution story, in brief, is that on
12.03.2015 the informant was standing at his home at about 8
A.M. In the meantime the accused persons named in the FIR
including this petitioner and 20-25 unknown persons holding
weapons came there and started looting the property of home.
When the informant/deceased and his sons Sanjay Das, Ranjan
Das protested it, then accused persons caused assault to the
informant and his sons by Bhala and Garasa and after looting the
property and damaging the hut, the accused persons fled away.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. It has been further submitted that earlier the case was instituted for the offence under Section 307 of the Indian Penal Code. Later on the deceased succumbed to his injury in course of treatment and subsequently Section 302 of the Indian Penal Code was added. It has further been submitted that altogether fifteen persons have been named in the FIR and omnibus and general allegation has been made against all the accused persons. No specific role or overt act has been made against the petitioner.

It has been submitted on behalf of the State that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 learned C.J.M., East Champaran at Motihari in connection with Chhatanui P.S. Case No. 53 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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