

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40092 of 2014

Arising Out of PS.Case No. -233 Year- 2014 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Raju Singh Son of Sachidanand Singh R/o Village Koari Khurd, P.O.
Balwa Koari, P.S. HajipurSadar, district Vaishali Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh
For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

6 01-07-2015 Heard the parties.

The petitioner apprehends arrest in a case lodged under sections 147,148,447,323,324,307,328,436 and 302 IPC on the allegation that (a) he assaulted the informant with iron rod on his head (b) he along with others thrust something incriminating in the mouth of one Bhola Singh causing his death and set ablaze informant's house as well as house of deceased Bhola Singh.

The petitioner submits that the injuries sustained by the informant has been found to be simple in nature and the forensic report had ruled out presence of any poisonous material in the body of Bhola Singh.He submits that even section 436 of the Indian Penal Code would not be applicable as only a portion of a pillar and a fodder cutting machine had been found

to be burnt to some extent. There is a case and counter case.

The informant submits that the allegations are serious in nature and other accused persons have been allowed regular bail.

In the facts and circumstances of the case, let the petitioner as mentioned above be released on bail in the event of arrest, on furnishing bail bond of Rs.7000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Sadar Police station Case No. 233 of 2014.

One of the sureties would be in form of the cash surety. The petitioner would not be absent for two consecutive date at a stretch till two witnesses are examined in the trial.

(Samarendra Pratap Singh, J)

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