

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48201 of 2014

Arising Out of PS.Case No. -110 Year- 2013 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Rambhu Sah Son of Gopal Sah Resident of village- Chainpur, P.S.-
Chhauradano, 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. U.L.Verma (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 04-03-2015 Heard counsel for the petitioner and the State.

The petitioner is facing accusation punishable under sections 302 and 201/34 IPC vide Chhauradano P.S. Case No. 110 of 2013 and seeks bail.

According to the prosecution case, the informant along with his deceased brother was riding a truck when owing to bursting of one of the tyres the said truck skidded off the road and in the process a lady received injury. A host of persons including the petitioner are said to have offered a chase and captivated the brother of the informant and dragged him away. It has further been alleged that the mob assaulted the deceased. The following day the dead body was found.

The contention of the petitioner is that except naming the petitioner the allegation is general in nature. It is not the prosecution case that the petitioner inflicted the injury by any specific weapon which ultimately caused the death of the deceased. The petitioner is in custody since 04.12.2013 having no criminal antecedent. The charge sheet has already been submitted against the petitioner and there is no chance of tampering with the evidence.

In the facts and circumstances of the case, the petitioner abovenamed is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of S.D.J.M. Raxaul at Motihari in connection with Chhauradano P.S. Case No. 110 of 2013 on conditions that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge the petitioner shall continue to appear in person on the date(s) fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel the bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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