

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19873 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana - BAKHTIARPUR (BALWAHAT) District- SAHARSA

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1. Santosh Mishra @ Santosh Kumar Mishra Son of Bedo Mishra @ Bedanand Mishra, resident of village- Khajuri (Matihani), PS- Simri Bakhtiyarpur (Balwahat OP), District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raman Kumar Singh Thakur

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is named in the first information report with accusation that he as well as other accused assaulted the deceased with fist and slaps as a result thereof, deceased died in course of his treatment. The postmortem report of the deceased reveals that altogether three injuries were found on his person but admittedly, the alleged occurrence took place on 05-03-2015 whereas; the first information report was lodged on 15-03-2015 i.e. after ten days of the alleged occurrence but even then, no specific overt act has been attributed against the petitioner. Moreover, it is informed on behalf of the petitioner that one co-accused namely, Vijay Mishra having similar allegation, has

already been granted privilege of anticipatory bail by a coordinate bench of this court.

Considering the above-said submission as well as facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bakhtiyarpur (Balwahat) P.S. Case No. 75 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Saharsa.

(Hemant Kumar Srivastava, J)

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