

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22048 of 2015

Arising Out of PS.Case No. -628 Year- 2012 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Pankaj Kumar @ Pankaj Sah S/o Suresh Prasad Sah

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunil Kumar S/o Mahendra Sah

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sita Ram Yadav, Advocate

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 323 and 304 of the Indian Penal Code.

It is alleged that the informant's father was working as labour at petitioner's place and when demand for arrear wages was made this petitioner slapped the father of the informant, as a result he fell down from the upper floor of the house and died during course of treatment.

It is submitted by the learned counsel for the petitioner that the medical report suggests the victim was vomiting blood due to fall from the upper floor of the house. The medical report does not suggest that the victim was slapped. On

completion of investigation, the petitioner was not sent up for trial and Final Form was submitted but on protest the cognizance has been taken under section 323 and 304 of the Indian Penal Code. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 628 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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