

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30919 of 2015

Arising out of PS.Case No. -132 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Md. Madin @ Madin, Son of Hussain, resident of village - Senduari, P.S.
Hajipur Sadar, Distt. – Vaishali.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Suman Kri.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2015 The petitioner is apprehending his arrest in connection

with Hajipur Sadar P.S. Case No. 132 of 2015 for the offences

instituted under Sections 147, 148, 149, 452, 504, 506, 364, 427,

380, 307, 302, 324 and 326 of the IPC.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution case, in brief, is that on 21.03.2015 at
about 7.30 P.M., seven motorcycles on which 2-3 persons were
boarded on each of motorcycles arrived near the house of the
informant and asked about the location of the house of Sanjeev
Kumar @ Putul and they understanding that Sanjeev Kumar and
his wife are present in the house, they returned back and after

about two hours, about 65-70 persons having armed with lathi, danda, bhala, sword, Kulhari, farsa and other weapons alongwith 10 ladies having stones, piece of bricks kept in Jhola arrived at the house of the informant and surrounded his house and started pelting bricks and stones aiming the house of the informant. On which, the son of the informant, namely, Sanjeev Kumar @ Putul and Kumum Patel @ Mantun Patel came out from the house and saw that accused persons named in the F.I.R. caught Sanjeev Kumar and started assaulting with weapons, seeing this the another son of the informant, namely, Kumkum Patel, came to rescue, then the accused persons also assaulted him by sharp edged weapon causing severe injury in his stomach and thigh. It is alleged that on account of fear, the informant escaped himself inside the house and saw that attackers cut away the neck of his son Sanjeev Kumar by sharp edged weapon and took him away by dragging towards east direction. It is also alleged that the attackers entered into the house and damaged the house-hold articles, looted away the same and caught the daughter-in-law of the informant with intention to kill her, kidnapped her and the accused persons also started taking away her with them. The informant raised hulla, the local people assembled, but the accused persons took away daughter-in-law Chandani Khatoon and his son Sanjeev with



them. The cause of occurrence as stated in the F.I.R. that the son of the informant, namely, Sanjeev Kumar @ Putul has love married with Chandani Khatoon five months ago, for which a case was filed in Sadar P.S. and in retaliation of the same this occurrence has been committed by the accused persons. The police was informed who came and took away the injured to Sadar Hospital, Hajipur, for treatment. The police recovered the dead body of the son of informant, namely, Sanjeev Kumar @ Putul from below the small bridge kept in a Bora(Bag) and thereafter the dead body was sent to Sadar Hospital.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It has been submitted on behalf of the petitioner that the petitioner is not name in the F.I.R. His name has come in course of investigation. There is no allegation of causing any injury upon the deceased.

On behalf of the State it has been submitted that the name of the petitioner has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Hajipur Sadar P.S. Case No. 132 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten

Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)