

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13772 of 2015

Arising Out of PS.Case No. -476 Year- 2014 Thana -MADHUBANI TOWN District-
MADHUBANI

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LAL BABU SHASTRI, SON OF LATE RAMPHAL YADAV, RESIDENT
OF VILLAGE - MAHTHA SAGAR, BHAUWARA, WARD NO. - 26, P.S.
- TOWN (NAGAR), DISTRICT - MADHUBANI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR.

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha, Adcocate.

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 19-08-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Sessions
Trial No. 06 of 2015 (arising out of Nagar P.S. Case No. 476 of
2014/GR No. 3477 of 2014) registered under Sections 302 of the
Indian Penal Code and Section 3(2)(v) of the Scheduled Casts and
Scheduled Tribes (Prevention of Atrocities) Act.

The accusation is that Parmeshwar Ram, father-in-law
of the informant, Lal Babu Ram, had gone to the house of the
informant and loose motion was started early in the morning of
15.12.2014. When father-in-law of the informant went to attend
the call of nature in the filed of the petitioner then he started to



abuse and assaulted him with fist and slaps, making complaint that why he had come here to attend the call of nature. Parmeshwar Ram, father-in-law of the informant, did not disclose the said incident while the occurrence was seen by Anil Ram. In the evening, when health of father-in-law of the informant was started to deteriorate then informant took him at hospital, where he died. Further allegation of informant is that his father-in-law died due to causing assault by the petitioner. The funeral of Parmeshwar Ram was performed by his son, brother-in-law of informant.

Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that the occurrence of assault of father-in-law of the informant, who is suffering from diarrhea, is of 15.12.2014 but the F.I.R was lodged on 17.12.2014 while police station was at the distance of 2 K.M. from the place of occurrence. Learned counsel for the petitioner further submits that petitioner has falsely been implicated in this case due to land dispute and the informant taking the advantage of death of his father-in-law due to diarrhea. It is further submitted that petitioner has no criminal antecedent and is in custody since 18.12.2014.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)

with two sureties of the like amount each to the satisfaction of the
Ist Additional Sessions Judge, Madhubani, in connection with
Sessions Trial No. 06 of 2015 (arising out of Nagar P.S. Case No.
476 of 2014/GR No. 3477 of 2014).

(Rajendra Kumar Mishra, J)

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