

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16629 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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Bhikhari Rai, Son of Ramdeni Rai, Resident of village - Mathia Murshandi,
P.S. Motipur, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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With

Criminal Miscellaneous No.21903 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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Amit Kumar Singh @ Amit Kumar, son of Late Anandi Singh, resident of
village - Birpur, P.S. - Kanti, District : Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

(In Cr.Misc. No.16629 of 2015)

For the Petitioner/s : Mr. Yogendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. M.Dayal(App)

(In Cr.Misc. No.21903 of 2015)

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Panchanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 14-07-2015 Both these applications arise out of Motipur P.S. Case

No.16/2015 registered for the offence punishable under Sections

147, 148, 149, 341, 323, 307, 387, 302 and 120B of the Indian

Penal Code, as such, they have been heard together and are being

disposed of by this common order.

The allegation is that the informant was driving the



vehicle container. In the way, when the driver and Khalasi (deceased) were taking tea, some persons came there and they were taking out diesel from the container vehicle which was protested by the deceased and thereafter, the informant and the deceased Khalasi proceeded with diesel container vehicle, some persons followed them with motorcycle and some persons stopped the vehicle coming out on the road by lathi. The Khalasi and the informant were assaulted brutally. They sustained injuries and thereafter, their treatment was made. On the next day, the Khalasi of the vehicle died due to the injuries.

It is submitted that the name of the petitioners and 14 others have appeared in the fardbeyan, but there is no specific allegation of overt act against the petitioners. The post mortem examination report shows that only four injuries have been found on the person of the deceased which is caused by hard and blunt object. However, after investigation, charge sheet has been submitted against the petitioners and others.

Learned counsel for the State submits that the petitioner Bhikhari Rai has also criminal antecedent.

Considering the facts and circumstances of the case, let the above-named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount

each to the satisfaction of learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur/court concerned **after framing of charge** in Motipur P.S. Case No.16/2015 with the following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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