

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33730 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -BALTHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Dhamu Sheikh @ Firoz Alam @ Sk. Dhamu, Son of : Late Sk. Mantuza,
Resident of Village: Purainia, P.S. Balthar, District: West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Sharan Singh

For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-11-2015 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel,

appearing for the informant.

Petitioner and several other accused are named in the

first informant report with accusation that they assaulted the

deceased with Lathi and after that, dashed the jeep as a result of

which, deceased died in course of his treatment.

Learned counsel, appearing for petitioner submits

that as a matter of fact, the deceased met an accident but due to

lodging of Balthar P.S. Case No. 03 of 2015, the informant lodged

this false case against the petitioner.

Learned counsel for the petitioner drew my attention

towards several paragraphs of the case diary and submit that the witnesses have made contradictory statements in course of investigation as some witnesses stated that deceased met an accident and at that time, the vehicle was being driven by Sheikh Murtaza whereas; some witnesses stated that the vehicle was being driven by this petitioner at the time of alleged occurrence.

On the other hand, learned counsel, appearing for informant opposed the prayer, submitting that the witnesses, specifically, stated that the deceased was badly beaten by petitioner and his associates and after that, they hit the deceased by the vehicle.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Balthar P.S. Case No. 05 of 2015 to the satisfaction of Sri Jitesh Kumar, learned Judicial Magistrate-Ist Class, Bettiah, West Champaran.

(Hemant Kumar Srivastava, J)

A.K.V./-

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