

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33564 of 2015

Arising Out of PS.Case No. -178 Year- 2015 Thana -SIWAN MUFFASIL District- SIWAN

Chandrama Singh, son of Devnandan Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Ram Naresh Roy (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 337, 307, 506/34 of the Indian Penal Code subsequently section 302 IPC was also added.

The prosecution case is that for a dispute with regard to filling earth on the path way of the informant when protest was made the petitioner and co-accused Awadhesh Singh assaulted the father of the informant with bricks, 'lathi', fists and slaps. Subsequently, after few days of the occurrence the victim died and, thereafter, section 302 IPC was also added in the FIR.

It is submitted by learned counsel for the petitioner that for the occurrence of 13.05.2015 at 07:50 am, the FIR was registered on 15.05.2015 at 02:15 pm whereas the petitioner's side lodged Siwan (Muffasil) P.S. Case No.177 of 2015 on 15.05.2015

wherein the petitioner's side also received injuries. The medical examination report of the father of the informant has been brought on record as annexure-2 to the petition, which reflects no physical injury on the body of the father of the informant. In fact, father of the informant was very old man and died natural death, but due to land dispute and inimical relationship between the parties, the petitioner has been roped in the present case. Moreover, A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation being not corroborated with the medical opinion, 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 Chief Judicial Magistrate, Siwan in connection with Siwan (Muf) P.S. Case No.178 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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