

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16923 of 2015

Arising Out of PS.Case No. -440 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Chhotu Poddar S/o Barun Yadav R/o Kadamtar, D.S. College Road, P.S. Katihar Town, Distt. - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-06-2015 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 02.12.2014 in a case registered for the offences punishable under section 147, 148, 341, 323, 307, 302 of the Indian Penal Code.

It is alleged that in jail custody co-accused Kundan Mishra, Kalu Jha, Binod Yadav, Tuntun Yadav, Pintu Gupta, Md. Murad,Md. Mubarak and Md. Guddu assaulted other prisoners, Rakesh Yadav, Raju Rai, Md. Shahwaj and Shamim Akhtar. Subsequently, Shamim Akhtar succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is not named in the first information report and his name sprang up in the confessional statement of co-accused. Accusation of assault is general and omnibus and first information named

accused persons, namely, Tuntun Yadav, Binod Yadav, Md. Mubarak and Md. Guddu have already been granted bail by this court vide orders passed in Cr. Misc. Nos. 45020 of 2014, 8640 of 2015 and Cr. Misc. No. 12632 of 2015.

Considering the aforesaid facts, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Town (Sahayak) P. S. case No. 440 of 2014.

(Dinesh Kumar Singh, J)

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