

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21366 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -ANDHRAMATH District- MADHUBANI

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1. Laxmi Sah son of Pramod Sah Resident of Village - Bageba, P.S. Andhramath, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Subhash Chandra Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 147, 148, 149, 341, 323 and 302 of the Indian Penal
Code.

The prosecution case in, brief, is that the informant
Pachima Devi has alleged that on 1.8.2014 at 5.30 P.M. while her
husband was coming from grazing she buffalo reached near the
house of Ram Chandra Thakur, all the accused persons named in
the FIR including the petitioner surrounded and caught her
husband and tied his hand and closed the mouth from clothes and
began to assault by all the accused persons and lastly co-accused
Pramod Sah, Tribhuan Sah, Kari Sah and the petitioner twist the

neck consequently he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.10.2014 and the charge sheet has been submitted in this case. Further, the said charge sheet has been brought on record by filing a supplementary affidavit and the same is annexed as Annexure 3 to the said supplementary affidavit. From perusal of the charge sheet it would appear that the police has found the case true under Section 304 and other allied Sections of the Indian Penal Code.

On behalf of the State, it has been submitted that the charge sheet has been submitted under Section 304 of the Indian Penal Code.

Considering the facts aforesaid, let 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 Sri Sanjay Kumar Rai, learned Judicial Magistrate, 1st class, Jhanjharpur, in Andhramath P.S.Case No. 46 of 2014 corresponding to G.R.No. 1227 of 2014.

(Sudhir Singh, J)

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