

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42252 of 2014

Arising Out of PS.Case No. -170 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

1. Runa Devi W/o Santosh Kumar Mishra Resident of Village - Pojhiya,
P.S. - Lalganj, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.49810 of 2014

Arising Out of PS.Case No. -170 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

1. Sanjit Kumar Rai Son of Shankar Rai Resident of Village - Tanda, P.S. -
Kartahan, District - Vaishali (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.42252 of 2014)

For the Petitioner/s : Mr. Pradeep Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Sharda Kumari (APP)

(In Cr.Misc. No.49810 of 2014)

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. Nirmal Kr. Sinha(APP)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 24-03-2015 Cr. Misc. No. 42252/2014 wherein Runa Devi happens to be the petitioner as well as Cr. Misc. No. 49810/ 2014 wherein Sanjit Kumar Rai happens to be the petitioner, commonly originate out of Lalganj PS. Case No. 170/2014, on account thereof, have been heard together and are being disposed of by a common order.

Certainly, injured Mrityunjay Thakur who happens to be deaf and dumb sustained injuries even to the extent of grievous one over his neck by a sharp cutting weapon including others and

for that on the written record of his cousin brother, Harendra Kumar, instant case has been registered. However, after going through the same as well as statements of relevant PWs, it is apparent that no one happens to be an eyewitness to the occurrence. Furthermore, from para-41, it is apparent that statement of victim has been recorded, however, loses its sanctity because of the fact that prosecution had not explained as to how the photographs of these two petitioners were along with them since before the occurrence which happens to be the basis of identifying these two petitioners to be the author of the crime in the background of perceiving their lecherous activities. Apart from this, petitioner Runa Devi happens to be under custody since 28.07.2014 while Sanjit Kumar Rai is incarcerated since 14.10.2014.

Consequent thereupon, petitioners, Runa Devi and Sanjit Kumar Rai are directed to be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Rajiv Ranjan Singh, Judicial Magistrate, 1st Class, Hajipur (Vaishali)/successor in the office in connection with Lalganj PS Case No. 170/2014.

(Aditya Kumar Trivedi, J)

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