

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27029 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA

Vijay Mishra S/o Late Mahendra Narayan Mishra resident of village -
Khajuri Matihani, P.O. Balwahat, P.S. Bakhtiyarpur, District - Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjana Pathak

For the Opposite Party : Mr. Yogendra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 147, 149, 302, 341, 323 and 504 of the Indian Penal Code.

It is alleged by the informant that on 05.03.2015 at about 8.00 hrs. his brother Ranjeet Roy was coming from Gorhitola to his house and when he reached near Brahmin tola Shiv Mandir then the FIR named accused persons has badly assaulted his brother by fists and slaps and they were telling that he be thrown in the pond and on getting information he brought his brother to his private doctor for his medical treatment and in course of medical treatment his brother Ranjeet Roy died.

It has been submitted on behalf of the petitioner that

the petitioner has got no criminal antecedent. As per the allegation, there is no specific allegation against the petitioner. General and omnibus allegation has been made against the petitioner. No weapon is said to be used in the occurrence. The date of occurrence is said to be on 05.03.2015 but the FIR was instituted on 15.03.2015. There is no explanation on behalf of the prosecution in respect to the delay in instituting the case.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 CJM, Saharsa in connection with Bakhtiyarpur (Balwahat O.P.) P.S.Case No.75 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

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