

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1123 of 2016

Arising Out of PS.Case No. -411 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Dharam Ram, Son of Raghubir Ram, Resident of Ismilpur, P.S. - Sadhar Hajipur, District - Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mritunjay Kumar

For the Opposite Party : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 22-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Hajipur Sadar P.S. Case No. 411 of 2015, registered under Sections 326(a), 302 and 379/34 of the Indian Penal Code.

The prosecution case is that Lagandeo Ram, husband of the informant Sarda Devi was going to Patna with cash of Rs. 20,000/- to purchase of utensil and in the way his villagers, namely, Chandan Kumar, Santosh Ram and the petitioner tried to snatch the said money from her husband, when husband of the informant made protest, then all the accused persons dashed him and sprinkled acid upon him and he has been badly assaulted, as a result of which, husband of the informant died.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the dead body of husband of the informant was seen by the villagers in the field of orchard of mango, which would appear from para 27 of the case diary. Moreover, the son of the informant, whose statement as detailed in para 30 of the case diary have not stated anything about chasing by the petitioner and other accused to him as detailed in the F.I.R. Further submission is that, in fact, petitioner was witness in a case bearing G.R. No. 01 of 2006, which was pending in the court of Sri Anup Singh, Judicial Magistrate 1st Class, Hajipur and he was present in the Court for giving his evidence in the said case on the alleged date of occurrence. The petitioner is in custody since 14.08.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 411 of 2015.

(Rajendra Kumar Mishra, J)

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