

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22505 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -PANCHRUKHI District- SIWAN

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Rama Kant Yadav S/o Late Wakil Chaudhary R/o Village- Nawada, P.S.-
Sarai O.P., District- Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Sanjay Kumar Pandey

For the Opposite Party : Mr. A.K.Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-08-2016

Heard learned counsels for the petitioner, informant
and learned counsel for the State.

The petitioner is languishing in custody since
03.01.2016 in connection with Pachrukhi P. S. Case No. 99 of
2015 for the offences instituted under Sections 147, 148, 149,
341, 323, 324, 307 and 302 of the Indian Penal Code.

The prosecution story, in brief, is that the petitioner
along with other co-accused persons having arms came to the
place of occurrence and started assaulting shop owners and
villagers. In the meantime, when the brother of the informant
Amit Kuamr came there, at the order of Harishankar Chaudhary,
he was assaulted by Krishna Yadav on his head with Kulhari and
there after he fell down. Further, he was also assaulted by all
these accused persons with their arms till he became senseless.

Further, the victim died during the course of treatment. Thus, there is also allegation against the petitioner that he along with other associates also assaulted Amit Kumar when he fell down till he became senseless and he died during the course of treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.01.2016. Charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent and there is no allegation of tampering with the evidence against the petitioner. Fetal injury has been caused by the co-accused Krishna Yadav. There is no specific injury caused by the petitioner.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R. and has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Chief Judicial Magistrate, Siwan in connection with Pachrukhi P. S. Case No. 99 of 2015.

(Sudhir Singh, J.)

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