

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20089 of 2016

Arising Out of PS.Case No. -26 Year- 2015 Thana -BHADAUR District- PATNA

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1. Karu Chaudhary Son of late Kailash Chaudhary Resident of Village-Khajurar, PS Bhadaur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Ashok Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 09-05-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is said to have assaulted the deceased by

means of lathi, as a result of which the deceased died.

Submission on behalf of the petitioner is that petitioner

is in jail custody since 12.05.2015 and, as a matter of fact, neither
informant nor any other witnesses supported the story of assault in
course of investigation or trial and, therefore, there is no chance of
conviction of the petitioner in the present case. To fortify the
above stated contention, learned counsel for the petitioner drew
my attention towards the impugned order dated 08.01.2016 and
submitted that it appears from perusal of the impugned order that
the informant, who claims to be an eye witness, has already

been examined and he has not supported the prosecution case in course of trial. It is further submitted that except the doctor, I.O and one independent witness, all the witnesses have already been examined.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional District Judge-VI, Barh, Patna, in connection with Session trial no. 826 of 2015 arising out Bhadaur P.S.Case No. 26 of 2015.

(Hemant Kumar Srivastava, J)

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