

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19611 of 2016

Arising Out of PS.Case No. -51 Year- 2008 Thana -DHAMDAHA District- PURNIA

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Shree Ram Besra, son of Sri Manjee Besra, Resident of Village- Harinkol,
P.S.- Dhamdaha, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sahin Begum (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with

Dhamdaha P.S. Case No. 51 of 2008, registered under Section

302/34 of the Indian Penal Code.

The allegation of informant Shambhu Swarnkar is

that on 02.06.2008 at about 9.00 P.M. his son Mukesh Kumar

had gone to the grocery shop to purchase of Bidi and Matchbox.

After sometime, he returned sustaining cut injury at his neck and

he disclosed that when he was returning after taking Bidi and

Matchbox, this petitioner along with others carried him in the

courtyard of Prapri Marori and cut his neck by means of

‘Chhewani’, thereafter, he died.

Learned counsel for the petitioner submits that, in fact, after investigation Police submitted Final Form against the petitioner and one Chajjo Besra as the petitioner was in Punjab at the time of occurrence, but the Chief Judicial Magistrate declined the Final Form submitted by the I.O and took cognizance against the petitioner. Further submission is that since the petitioner was not at the time of the alleged occurrence and Final Form was submitted, he had no knowledge about the present case and he surrendered in Court on 24.11.2015.

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, Purnea in connection with Dhamdaha P.S. Case No. 51 of 2008.

(Rajendra Kumar Mishra, J.)

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