

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23500 of 2016

Arising Out of PS.Case No. -255 Year- 2015 Thana -AKBARPUR District- NAWADA

=====

Ram Bhajju Singh @ Bhajju Singh, son of late Alakhdeo Singh, resident of
Village-Gangta, P.S. Akbarpur, District Nawadah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary(APP)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-07-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Akbarpur P.S. Case No. 255/15 for offences alleged under Section
302/34 of the Indian Penal Code.

The allegation is that on the orders of the
petitioner other co-accused assaulted the husband of the informant
with *lathi*, *danda* and knife and when informant and her *bhainsur*
tried to save him her *bhainsur* was also assaulted with knife on his
head and she was also assaulted. Her husband was firstly treated at
Nawadah Hospital and thereafter for better treatment brought to
Paras Hospital, Patna and then during treatment at P.M.C.H. he
died on 18.11.2015.

It has been submitted by the learned counsel for
the petitioner that he is innocent and has falsely been implicated

due to previous enmity and land dispute. He further submits that the First Information Report has been lodged after 11 days of the alleged date of occurrence and no plausible explanation has been given for such delay. It has further been submitted that the petitioner has been alleged to be order giver and no assault has been committed by him. He submits that petitioner has a clean antecedent, as is evident from paragraph 3 of this petition.

However, learned APP for the State submits that the petitioner is named in the First Information Report and it is on the orders of the petitioner that all his family members assaulted the husband and other family members of the informant, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 Additional Chief Judicial Magistrate, Nawadah, in connection with Akbarpur P.S. Case No. 255/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

U		T	
---	--	---	--