

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17903 of 2016

Arising Out of PS.Case No. -94 Year- 2012 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

=====

Jagarnath Rai Son of Late Bhago Rai Resident of Mohalla- Bapu Nagar
Uttari Mandiri, P.S.- Budha Colony, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi Wife of Ramesh Pandit Resident of village-Shekhopur
Dadhia, P.S.- Bhagwanpur, District- Vaishali.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate
Mr. Rakesh Kumar Sharma

For the Informant : Mr. Sunil Kr. Singh

For the Opposite Party/s : Mr. U.L. Verma(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 01-07-2016 Learned Senior Counsel for the petitioner is permitted to
make necessary correction in paragraph No. 4 of the application.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State as well as learned
counsel for the opposite party No. 2.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 302/34
of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that
though the petitioner has no role whatsoever in the occurrence, the
only allegation attributed to him is that while the deceased was
sent to the hospital for medical treatment, the petitioner being one



of the officers posted at the concerned Thana, had also accompanied the deceased. In the instance case, though earlier final form had been submitted, yet on the basis of a protest petition made by the informant, the petitioner's name has been drawn in connection with the present case. He submits that the examination of the deceased do not indicate any injuries, save and except, two pin-top injuries on the right leg, there is no other injuries on the body of the deceased. The doctor who had conducted post-mortem has opined that death had occurred on account of multi-organ failure.

In view of the fact that the allegations as levelled by the informant are that the petitioner along with other officers of the Thana had indulged in several '*Marpit*' on the person of the deceased. There is no evidence to the said effect.

Taking into account, the aforementioned facts and circumstances and that the allegations against the petitioners are on mere speculation, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection

with Complaint Case No. CI-94/12, subject to the conditions as
laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

Saif/-

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

