

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37125 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -KHANPUR District- SAMASTIPUR

=====

Chandeshwar Rai S/o Samu Rai Resident of Dharmpur, P.S. Khanpur,
District Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mr. Abhay Kumar - 1

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 25-10-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 302 and other allied sections of

the Indian Penal Code.

The first information report was lodged against ten
named accused and some unknown persons. Petitioner is also
named in the first information report and it is alleged that all the
named accused as well as unknown persons mercilessly assaulted
the deceased, Ram Prasad Rai @ Baba Rai, who died on the spot.

Submission on behalf of the petitioner is that
aforesaid Ram Prasad Rai @ Baba Rai as well as other members
of prosecution party mercilessly assaulted and killed one

Brahamdeo Rai, who happens to be nephew of the petitioner and for which petitioner lodged Khanpur P.S. Case No. 32 of 2016 and as a matter of fact, while deceased of the present case was fleeing after committing the murder of aforesaid Brahamdeo Rai, the deceased was caught by the villagers and he was assaulted as a result whereof he died then and there and taking advantage of aforesaid fact, the informant lodged the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that investigation against the petitioner has already been completed, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Samastipur in connection with Khanpur P.S. Case No. 33 of 2016.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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