

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47790 of 2016

Arising Out of PS.Case No. -109 Year- 2016 Thana -GORAUL District- VAISHALI(HAJIPUR)

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SUJAY KUMAR @ SUJAY KUMAR SINGH @SUJAY KUMAR SAH
Son of Bishundeo Singh Resident of village - Pirapur, P.S. Goraul, District
- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 02-12-2016 Heard Mr. Thakur for the petitioner and Mr. Ashok
Kumar, APP for the State.

The petitioner prays for bail in Goraul P.S. Case No. 109
of 2016 registered under sections 307 & 354, but later section
302 IPC was added as the injured being the wife of the informant
subsequently succumbed to her injuries.

The informant has alleged that owing to a land dispute
the petitioner named in the FIR arrived at the place of occurrence
and at the orders of the petitioner the co-accused Uday assaulted
the wife of the informant with an iron rod on different parts of her
body. Further allegation is that the petitioner and one another co-
accused made the daughter of the informant semi/half naked.



The contention of the petitioner is that owing to construction of the house, both parties fought against each other as is evident from the FIR (Annexure-3) lodged by the petitioner under section 308 IPC wherein he received injury on the head caused by the present prosecution party. There is no allegation against the petitioner assaulting the victim who subsequently succumbed to her injuries. The petitioner is in custody since 21.07.2016 carrying no criminal antecedents.

Considering the facts and circumstances of the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Goraul P.S. Case No. 109 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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