

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25376 of 2016

Arising Out of PS.Case No. -752 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. ASHOK VERMA @ ASHOK KUMAR VERMA S/o Late Saryug Verma, R/o Village- Hardaschak, P.S.- Khagaria (Mufassil), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-06-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 447, 379, 307, 504, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that on 24.11.2015 the informant was sleeping with his family but in the morning at 3:00 A.M the petitioner along with other accused persons variously armed entered into the house when co-accused Mantosh and Santosh assaulted the informant with the butt of the riffle. On alarm being raised his brother Kamleshwari Verma came to rescue then all the accused persons assaulted him. When the sister-in-law of the informant came to rescue, she was also assaulted by the accused persons. The accused persons resorted to fire on the villagers when they came to rescue and took away cash and jewellery.

It is submitted by learned counsel for the petitioner that though subsequently after one month of the occurrence the brother of the petitioner died but since his postmortem reflects no external injury, hence Section 302 I.P.C was not added. The accusation of assault is only specific against Santosh and Mantosh and considering the nature of accusation co-accused Shailendra Kumar Verma has been granted anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No. 21428 of 2016.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria(Muffasil) P.S. Case No. 752 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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