

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27943 of 2016

Arising Out of PS.Case No. -144 Year- 2016 Thana -BELHAR District- BANKA

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1. Vijay Singh @ Bijo Singh @ Bijay Pd. Singh S/o Late Karu Singh
Resident of Village- Bahorana, Police Station- Belhar (khesar) District-
Banka Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Adv.

For the Opposite Party : Mr. Ram Bilash Roy Raman, APP 49

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 02-09-2016 Heard the learned counsel for the petitioner, the
informant and the learned Additional Public Prosecutor

The petitioner, who is not named in the first
information report, apprehends his arrest in Belhar (Khesar) P.S.
Case No. 144 of 2016 (G.R. No. 1022 of 2016) under Sections
147, 148, 149, 341, 324, 323, 307, 379, 504 and 506 of the Indian
Penal Code.

The informant is the daughter-in-law of the deceased.
The informant named nine persons and alleged that they assaulted
her father-in-law and other family members, but, after the death of
Kapildeo Singh, wife of Kapildeo Singh, who is also injured,
disclosed the name of the petitioner and she named 17 persons
although only nine persons are named in the first information
report.

The learned counsel for the informant as well as the
Additional Public Prosecutor, however, vehemently opposed the
prayer for anticipatory bail.

It appears that the informant named only nine persons
and even in her subsequent statement did not name the petitioner,

but, after the death of Kapildeo Singh, the mother-in-law of the informant and the wife of Kapildeo Singh simply named the petitioner along with seven other accused persons who were not named in the first information report, but, no specific allegation of assault has been made against the petitioner.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with the Belhar (Khesar) P.S. Case No. 144 of 2016 (G.R. No. 1022 of 2016) to the satisfaction of Sri A.K. Gupta, Sub Judge III-cum-Additional Chief Judicial Magistrate, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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