

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55042 of 2015

Arising Out of PS.Case No. -254 Year- 2014 Thana -GHOSI District- JEHANABAD

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Nand Kishore Kumar Son of Sri Sadhu Sharan Yadav resident of
Lakhawar, Police Station - Ghosi in the district of Jehanabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar
For the Opposite Party : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-01-2016

Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection
with Ghosi P.S. Case No. 254 of 2014 for the offences instituted
under Sections 341, 323, 379 and 307/34 of the Indian Penal
Code.

As per prosecution case that co-accused Dharmendra
Kumar along with five unknown miscreants are said to have
looted the house of the informant who was also assaulted on his
head, finger and hand. The reason behind the occurrence is stated
that the said co-accused under influence of liquor beat up the door
of the informant and thereafter they have damaged the tiles of
dalan and on his protest, they have assaulted on his head and
thereafter accused persons ran away.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. As per the prosecution

case, co-accused Dharmendra Kumar along with 3-4 unknown persons had come and assaulted the informant. Petitioner is not named in the FIR. The petitioner is the resident of the same village as that of the informant. In spite of that the informant had not named the petitioner in the FIR but later on in his re-statement, the petitioner's name has figured. Petitioner is a government employee, hence he has been falsely implicated in the present case for oblique reasons.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. and his name has come in course of the investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Ghosi P.S. Case No. 254 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Jehanabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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