

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50089 of 2016

Arising Out of PS.Case No. -74 Year- 2014 Thana -JOGBANI District- ARRARIA

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Sanjay Das @ Sanjay Kumar Das, S/o Jugeshwar Das, resident of Village Amauna, Ward No. 7, P.S. Jogbani District Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party : Mr. J.N. Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-12-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Jogbani P.S. Case No. 74 of 2014 for the offences instituted under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the IPC.

The prosecution story, in brief, is that all the accused persons started abusing and on protest, on the order given by the co-accused Yugeshwar Das, this petitioner and co-accused Santosh Das caught hold the informant and assaulted him with fists and slaps. Co-accused Raju @ Kanhaiya Yadav brought lathi and Farsa from his house and this petitioner assaulted the informant with Farsa as a result, the informant sustained injury on



right palm and also on his head and blood started oozing out. When Dip Narayan Das came there, co-accused Santosh Das and this petitioner assaulted him with Farsa causing him also head injury and he fell down. Other accused persons also assaulted him. Co-accused Amerika Devi took away Rs. 2250/-from his pocket.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. In course of investigation, all the witnesses including the informant have made a general and omnibus allegation against the petitioner except for the statement of the informant in the FIR. In paragraph no. 44 of the case diary, it has been stated that the case is not true under Sections 307 and 379 of the IPC. Both the parties are agnates.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

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 Jogbani P.S. Case No. 74/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned A.C.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

