

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43944 of 2016

Arising Out of PS.Case No. -29 Year- 2015 Thana -JADIA District- SUPAUL

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Laxmi Sah, son of Late Bhola Sah, resident of village - Datua, P.S. - Jadia,
District - Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Advocate.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-12-2016 Heard learned counsels for the petitioner, informant and

learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Jadia P.S. Case No. 29 of 2015 for the offences instituted
under Sections 147, 148, 149, 341, 323, 324, 302 and 504 of the
IPC.

The prosecution story, in brief, is that the petitioners
alongwith accused persons after forming unlawful assembly with
common object assaulted the informant and his wife as such wife
of the informant Gonari Devi sustained injuries on her head and
other part of body and in course of treatment, she succumbed to
the injuries.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. In course of investigation, eye witnesses, whose statements were made in paragraph nos. 22 and 23 of the case diary, have not supported the manner of occurrence. The police after investigation had submitted final form against the petitioner.

On behalf of the learned counsels for the State and the informant, 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 Jadia P.S. Case No. 29/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)