

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31477 of 2016

Arising Out of PS.Case No. -127 Year- 2015 Thana -BEUR District- PATNA

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Sonu Kumar Son of Late Prabhu Choudhary resident of Harnichak P.S.
Phulwari Sharif, District- Patna presently near Surya Mandir Balamichak
renter in the house of Monu Choudhary P.S.- Gardanibagh District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 19-12-2016 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 302/34 of the Indian Penal
Code.

The deceased and petitioner were under trial
prisoners and they had been lodged in a cell along with other
F.I.R. named accused as well as witnesses. The deceased was
found in unconscious state in the morning of the alleged
occurrence and thereafter, he was taken to hospital where he



was declared brought dead. The ferdbeyan of one constable, who took the deceased to hospital, was recorded on 04.07.2015 and in the aforesaid ferdbeyan, the aforesaid constable stated that deceased was ill and that was the reason he was taken to hospital. However, after death of the deceased, the present case was lodged by the jail superintendent and in course of investigation, the other inmates of concerned cell stated that in the midnight of alleged occurrence deceased was assaulted by petitioner and other accused. The post mortem report goes to show that some injuries were found on the person of the deceased.

Submission on behalf of the petitioner is that general allegation of assault has been levelled against the petitioner and other F.I.R. named accused and as a matter of fact, when the jail authorities could not explain the injuries found on the person of the deceased, they implicated the petitioner and other accused persons in the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IX,



Patna in connection with Sessions Trial No. 922 of 2015
arising out of Beur P.S. Case No. 127 of 2015.

(Hemant Kumar Srivastava, J)

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