

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18993 of 2016

Arising Out of PS.Case No. -359 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

1. Ram Briksh Rai son of Ram Autar Rai Resident of Village Bakhri Doa,
P.S. Goraul (Kathara O.P.), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Dr. Indihar Kumari (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since 31-
01-2016 in a case registered under Sections-302 & other minor
sections of the Indian Penal Code.

It is alleged that the petitioner and 7 other FIR named
accused, having armed with Lathi, Danda and iron rod, assaulted
the deceased and his associates. In course of investigation, when
further statement of informant and some witnesses were recorded,
they claimed that it was the petitioner who gave fatal blow,
causing head injury to the deceased. The postmortem report of the
deceased reveals that only one injury on the right temporal region
up to the bone deep was found and the deceased died due to the

aforesaid injury.

Submission on behalf of petitioner is that the further statement of informant as well as statements of other witnesses are nothing but only an afterthought story and moreover, investigation against the petitioner has already been completed and even if the allegation, levelled against the petitioner assumed to be true, then also, at best, it is a case of Section-304 of the Indian Penal Code.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Goraul (Kathara O.P.) P.S. Case No. 359 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur.

A.K.V./-

(Hemant Kumar Srivastava, J)

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