

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27079 of 2016

Arising Out of PS.Case No. -84 Year- 2002 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

Bir Abhimanyu Singh @ Mannu Singh @ Munnu Singh, son of Bilash Singh, resident of Fatchali,P.S. Deepnagar District-Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rana Baljit Singh, Advocate.

For the Opposite Party : Mr. Chandrasen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-10-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 25.03.2016 in connection with Deepnagar P.S. Case No. 84 of 2002 for the offences instituted under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on 14.05.2002, when the informant alongwith her daughter and nephew Ramagya Singh reached near Mahnaur Alang, her nephew desired to return home. At that time, the petitioner and others proceeded towards the village Fatehli alongwith her nephew. When her nephew did not return to home, she became perplexed. In the next morning, she learnt that one dead body was thrown at village-Fatehli. She



went there where Rajiya Devi told that her nephew alongwith four co-accused persons came at her house and forcibly took the toddy from her house and during that period some quarrel took place and thereafter all the accused persons dragged her nephew to the field of this petitioner and assaulted him by means of stone and threw him down causing injury due to which he sustained rapture bleeding injury on his head and ultimately he died. She saw the dead body and raised alarm. Thereafter, so many villagers and people came there.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He is named in the FIR alongwith three other co-accused. General and omnibus allegation has been made against him. No specific injury has been attributed against the petitioner. There is only one external injury on the body of the deceased as per the postmortem report.

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 on furnishing bail

bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Nalanda at Biharshariff in connection with Deepnagar P.S. Case No. 84 of 2002.

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(Sudhir Singh, J)