

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30370 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -PALASI District- ARRARIA

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1. Yogendra Sah Son of Janak Lal Sah resident of Village- Chouri, Police
Station-Palasi, District-Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. (Dr.) Amrendra Kumar
Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-11-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Palasi P.S. Case No. 45 of 2016 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

Diary in this case was called for earlier, which has, since
been received.

Learned counsel for the petitioner submits that the though
an allegation has been made that the father of the informant was
dragged to the house of the petitioner and four other accused
persons dumped him causing injuries which led to his death, the
post-mortem report does not indicate any external injury.
Moreover, the allegation of the petitioner is merely of taking the
deceased to his doorstep and the charge of assault is on others.

Learned counsel for the State after perusal of the case dairy submits that there is no external injury on the person of the deceased. The post-mortem report also does not reveal that there was any external injury and the viscera has been sent for forensic examination.

Considering the fact that no external/internal injury has been found on the person of the deceased which belies the prosecution story, let the petitioner abovenamed, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Araria in connection with Palasi P.S. Case No. 45/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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