

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42368 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -AMARPUR District- BANKA

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1. Govind Das Son of Late Makun Das @ Mukund Das resident of village -
Teliya Harijan Tola, P.S. Phullidumar, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sourendra Pandey

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 13-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Amarpur (Phullidumar) P.S. Case No. 71 of 2016 instituted for the offences punishable under Sections 341, 323, 324, 307, 379, 447, 354, 504/34 of the Indian Penal Code and subsequently added Section 302 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons including the petitioner assaulted the informant and her family members.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The death is said to be lathi blow on the leg of



the deceased. The case was instituted for an offence under Section 307, later on, Section 302 was added. The death is said to have been taken place after nine days of the occurrence. Cause of death is said to be lung infection, which got aggravated due to the injury sustained on the leg. The death has taken place due to secondary haemorrhage and not caused due to primary haemorrhage. It is a case and counter case between the parties.

On behalf of the State as well as learned counsel for informant, it has been submitted that the petitioner is named in the F.I.R. and he has participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of six weeks from today, be released on bail furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur (Phullidumar) P.S. Case No. 71 of 2016, on subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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