

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45019 of 2015

Arising Out of PS.Case No. -68 Year- 2014 Thana -HISUA District- NAWADA

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Ravi Ranjan Kumar son of Mahesh Sharma, resident of village- Kespa,
P.S.- Tekari, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Ramesh Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-02-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 302 and 34 of the Indian Penal Code.

The prosecution case, in short, is that there was Archestra proramme in the marriage and after taking food the informant and villagers along with his brother stayed there for some times. In the meantime, there was some stampede and the informant's brother tried to pacify the matter. After some time, the informant heard cry made by his brother and thereafter the informant and the villagers ran towards his brother and saw that Arvind Singh and Ashok Singh were assaulting the informant's brother with dagger on his head and other persons assaulted with lathi. Thereafter he was carried to P.H.C., Hisua where he died.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. The name of the petitioner has come in the course of investigation and the informant is not an eye witness to the alleged occurrence. There was an Archestra party in the marriage and when the stampede took place everyone started running away and some articles were found there after the stampede. The police suspected the involvement as Identity Card of petitioner was found at the P.O., hence, he has been made accused in the present case. There is no direct or indirect evidence against the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the first information report and his name has come in the course of investigation.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 68 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

V.P.Sinha/-

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(Sudhir Singh, J)