

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23150 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

1. Rajiv Sahni Son of Bindeshwar Sahni, Resident of Village- Vijay Chapra,
Police Station- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since 07-01-2016 in case registered under Section-302 & other minor sections of the Indian Penal Code.

There is accusation against the petitioner that he along with three others mercilessly assaulted the deceased by means of LATHI and DANDA as a result of which, the deceased died on the spot.

Submission on behalf of petitioner is that when the inquest report of the deceased was prepared, no apparent injury was found on his body though in the postmortem examination, one injury was found on the private part of the deceased and third and

six ribs of the deceased were found fractured. Furthermore, it is submitted on behalf of petitioner that no specific overt act has been attributed against the petitioner.

From perusal of the case diary, I find that after investigation, police submitted charge sheet against the petitioner whereas; investigation against co-accused, Sanjay Sahani was kept pending and accusation against the FIR named accused Bindeshwar Sahani and Janki Devi were found untrue.

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 Ahiyapur P.S. Case No. 21 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur.

(Hemant Kumar Srivastava, J)

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