

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2094 of 2017

Arising Out of PS.Case No. -234 Year- 2016 Thana -MASRAKH District- SARAN

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Dhananjay Singh, son of Late Jagnarayan Singh, resident of village-Shekhpora, Police Station-Masrakh, District-Saran.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 02-03-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Masrakh P.S. Case No.234 of 2016 registered under Sections 302 and 201/34 of the Indian Penal Code.

The accusation is that in the evening of 01.08.2016 at about 05.00 P.M., Tanya Kumari, aged about 6 years, the daughter of the informant, and Ayush Kumar, aged about 7 years, the grand son of the petitioner, were playing at the door of the petitioner. In that course, both the children started to quarrel and scuffle in which Ayush Kumar, the grand son of the petitioner, sustained injury. Thereafter, the petitioner caught hold of hair of Tanya Kumari, the daughter of the informant, and dashed her on the



ground, then Arvind Singh, the son of the petitioner, also caught hold of the leg of Tanya Kumari, the daughter of the informant, and also dashed her on the ground, due to which she became unconscious. Tanya Kumari, the daughter of the informant, was rushed to the hospital for treatment but she died in the way. Thereafter, the petitioner along his two sons giving threatening took the dead body of Tanya Kumari, the daughter of the informant, and buried her dead body. Due to that reason, the informant gave information to the police on 03.08.2016.

Learned counsel appearing on behalf of the petitioner submits that, in fact, Ayush Kumar, the grand son of the petitioner, and Tanya Kumari, the daughter of the informant, started to quarrel and scuffle, in course of playing, in which Ayush Kumar, the grand son of the petitioner, also sustained injury and, at that time, Tanya Kumari, the daughter of the informant, was dashed and she sustained head injury but with an ulterior motive, this petitioner and Arvind Singh, who is grand father and father of Ayush Kumar respectively, have falsely been implicated in this case by the informant. Further submission is that while the allegation has been made in the F.I.R. about dashing the deceased Tanya Kumari, the daughter of the informant, by this petitioner and his son Arvind Singh but in her post-mortem examination,



only one injury was found on her person. The petitioner having no criminal antecedent is in custody since 05.09.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VIII, Chapra, in connection with Masrakh P.S. Case No.234 of 2016.

(Rajendra Kumar Mishra, J)

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