

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12563 of 2017

Arising Out of PS.Case No. -106 Year- 2015 Thana -SARAI District- VAISHALI (HAJIPUR)

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1. Naresh Kumar Singh, Son of Sri Shyam Sundar Singh, Resident of
Village-Khas Pateda, P.S.-Sarai, District-Vaishali..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

4 26-04-2017 Heard both sides.

The petitioner seeks bail in Sarai P.S. case No. 106 of
2015 under Section 326, 325 and other Sections of the Indian
Penal Code. Later on Section 302 of the IPC was added.

The informant, who was running a Kabari shop,
alleged that on 18.05.2015, when he was returning after
purchasing waste materials, Naresh Kumar Singh, the petitioner,
and his father, Shyam Sundar Singh, came across and asked him to
purchase bottles of beer. Some altercation took place. On such,
petitioner assaulted the informant with bamboo stick and Shyam
Sunder Singh assaulted the informant with knife. Hand and leg of
the informant were fractured besides other injuries caused by
petitioner and his father.

The learned counsel for the petitioner submits that
the occurrence took place on 18.05.2015 but the fard bayan was



recorded on 19.05.2015. The informant died on 23.10.2015. Post mortem was held but the doctor did not find any external injury. The informant had fully recovered from the injuries and that is why the doctor did not find any external injury on the body of deceased.

It appears that petitioner is alleged to have assaulted the informant/ deceased with stick of bamboo causing fracture injury on hand and leg. Father of the petitioner assaulted him with knife. The occurrence took place on 18.05.2015 but the informant/ deceased died on 23.10.2015. From perusal of the post mortem report it appears that the deceased did not die on account of injuries caused by the petitioner.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, Vaishali at Hajipur in Sarai P.S. Case No. 106 of 2015.

(Prabhat Kumar Jha, J)

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