

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15115 of 2017

Arising Out of PS.Case No. -192 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

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Harendra Rai, S/o Ganesh Rai, Resident of Village- Nandana, P.S.-
Minapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-05-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Minapur
P.S. Case No. 192 of 2016, registered under Section 307 and
302/34 of the Indian Penal Code.

The allegation of informant Ajay Kumar is that on
27.07.2016 at about 8.00 P.M., the water had been thrown at the
door of Ganesh Rai, which was down to the door of informant
due to that reason, Ganesh Rai, Harendra Rai (petitioner), wife
of Ganesh Rai, Wife of the petitioner, Lalan Rai, Pawan Rai
came armed with weapons and on the order of Ganesh Rai, all
persons started to cause assault to the informant and his father
through lathi, stick, iron rod and wooden plate. In that course,
petitioner Harendra Rai assaulted on the head of Gagandeo Rai,
father of the informant, through wooden plate in which he fell
down. Thereafter, Gagandeo Rai, father of the informant, rushed
to PHC Minapur for treatment from where he was referred to



Muzaffarpur and from where he was referred to Vinayak Hospital, Patna and for better treatment he was referred to PMCH, Patna, where he died on 26.07.2016 in course of treatment.

Learned counsel for the petitioner submits that while the occurrence took place on 27.07.2016, but it would appear from the injury report of the deceased as detailed in paragraph No. 20 of the case diary that deceased Gagandeo Rai was examined on 24.07.2016 at PHC, Minapur and in the protest as filed by the informant the date of occurrence is said to of on 24.07.2016, which creates serious doubt about the occurrence of Marpit as alleged in the F.I.R. in the evening of 27.07.2016. The petitioner has no criminal antecedent and in custody since 27.09.2016.

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 Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. Case No. 192 of 2016.

(Rajendra Kumar Mishra, J)

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