

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.494 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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1. Tirthanand Rishideo @ Tirthanand Rishideo S/o Late Rama Prasad
Rishideo Resident of Village-Adirampur Burja Tola Mushahari P.S.
Bhargama District Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 02.04.2016 in a
case registered for offences punishable under Sections 302 and
other allied Sections of the Indian Penal Code.

The prosecution case is that six persons including the
petitioner were named in the First Information Report with
accusation that they assaulted the informant's father by means of
lathi and danda and subsequently, the informant's father died in
course of treatment.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in the



aforesaid case and that the post mortem report shows only one injury on the deceased, which can not be attributable solely to the petitioner as there are six persons named in the F. I. R. He further submits that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

It is further submitted that another co-accused on general and omnibus allegation, has since been granted privilege of bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 36321 of 2016 dated 23.08.2016.

Learned A.P.P. for the State however submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Considering the facts and circumstance of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge, Araria in connection with Sessions Trial No. 516/2016 arising out of Bhargama P. S. Case No. 38 of 2016.

(Nilu Agrawal, J)

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