

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35089 of 2017

Arising Out of PS.Case No. -49 Year- 2015 Thana -BHADAURA District- PATNA

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Shiv Shanker Kumar @ Shankar Paswan, son of Rajo Paswan @ Rajo Das,
resident of village Kajichak Bedari, P.S. Bhadaur, District Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Bhadaur P.S. Case No. 49 of 2015, registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

The allegation against the petitioner is that he and
two other co-accused namely, Chandan Kumar and Gaurav Kumar
took away Jitendra Kumar, the son of the informant, at grocery
shop and when the son of the informant was returning, Raj Kumar
Mahto caught Jitendra Kumar and Deepak Kumar Mahato stabbed
knife in the rib cage and again Raj Kuamr Mahato stabbed 3-4
times knife. The injured was brought to Sub-Divisional Hospital,
Barh, from where he was referred to P.M.C.H. but in the way he



died.

Submission is of false implication and that against the petitioner there is no specific allegation, only allegation is that he called and took away the deceased at the grocery shop and at the time of returning the occurrence has taken place and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the petitioner is not the assailant.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, District- Patna, in connection with Bhadaur P.S. Case No. 49 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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