

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6226 of 2017

Arising Out of PS.Case No. -260 Year- 2016 Thana -SAKRA District- MUZAFFARPUR

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Dashrath Kumar Rai @ Shiv Nath Rai @ Shiv Nath Kr., son of Asharfi Rai
@ Asharfi Lal Rai, Resident of Village- Gannipur Bejha, P.S. Sakra,
District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Smt. Suman Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 07-03-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Sakra
P.S. Case No. 260 of 2016, registered under Section 302, 120(B)
of the Indian Penal Code.

The allegation of informant Gunjan Kumari is that in
the night of 21/22-09-2016, after taking meal, she was sleeping
in the room, while her parents were sleeping in the southern
room of the house. At about 11.00 P.M., she heard the sound of
mob and thereafter she saw that four persons were causing injury
to her father and mother, while her mother and father were
making protest. At that time, her mother fell down on the
ground. Thereafter, all four persons moved from the house from
the southern room of her house. In course of fleeing away, she
identified the assailants as Bittu, Sintu, Mahesh Rai, and Jhabra.
While she raised alarm, but none was reached there



due to sound of loud music organized by Jhabra due to that reason she informed the matter to Mukhiya on mobile. Thereafter, neighbours came there and her father and mother were taken to Sakra, where her mother was declared died and her father was referred to Muzaffapur for better treatment, where he also died in course of treatment.

Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that the informant has claimed that four persons entered in her house and caused injury to her parents and she identified four persons as detailed in the F.I.R., but she did not raise any suspicion against the petitioner at the time of recording her fardbeyan. Later on, in her further statement, she disclosed the name of this petitioner as one of the assailants receiving injuries.

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 Sub-Judge-13-cum-ACJM, Muzaffarpur in connection with Sakra P.S. Case No. 260 of 2016.

(Rajendra Kumar Mishra, J)

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