

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40369 of 2017

Arising Out of PS.Case No. -67 Year- 2016 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Dharamveer Ram, Son of Bishun Ram, Resident of Village- Gonawan,
P.S.- Harnaut, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Upadhyay

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 341, 327, 307, 504/34 of the Indian Penal Code.
Subsequently, Section 302 of the Indian Penal Code was added.

Allegation against the petitioner is that he along
with other accused persons abused and assaulted the father of
informant with lathi, danda and broom and they also pushed him
down from the roof, on account of which, he sustained severe
injury and was admitted in the clinic of Dr. Arun Kumar. He was
referred to Patna for better treatment but during course of
treatment, he died in P.M.C.H.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application with
observation 'at this stage'.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.04.2016. The petitioner has got no criminal antecedent. There is no allegation of tampering alleged against the petitioner. General and omnibus allegation has been made against the petitioner. Charge has already been framed in this case. No specific injury has been attributed against the petitioner. From perusal of the postmortem report, it appears that one injury of swelling and other of abrasion has been found on the body of the deceased, caused by hard and blunt substance and no deadly weapon is said to have been used in the occurrence. At best, it is a case under Section 304 of the Indian Penal Code.

On behalf of the State and counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional Sessions Judge-III, Nalanda at Biharsharif, in connection with Tr. No. 570 of 2016, arising out of Harnaut P.S. Case No. 67 of 2016.

(Sudhir Singh, J)

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