IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14162 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -NANHPUR District- SITAMARHI

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Shyam Yadav, Son of Rajgir Rai, resident of village - Naya Tola, Serha Tola, P.S. Nanpur, Distt. Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Prabhat Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 25-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nanpur P.S. Case no. 99 of 2016, registered under Sections 341, 323, 325, 307, 379, 427, 504, 506/34 and 302 of the Indian Penal Code.

The accused is that Md. Meraj, grandson of the informant and Sumbul Khatoon, granddaughter of the informant, were going to village Tharuhat boarding on the motorcycle, when they reached near Naya Tola, a goat came in front of their motorcycle then his grandson stopped the motorcycle. In the meantime, Rajgir Rai, Sandeep Rai and five others surrounded them armed with lathi and danda and caused grievous injury to his grandson and grand-daughter, thereafter, they also damaged the motorcycle and snatched golden ornaments. On receiving information, informant reached there and brought his grandson and granddaughter at PHC Pupri from where both were

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referred to Darbhanga, but later on, Sumbul Khatton, granddaughter of the informant died in course of treatment.

Learned counsel for the petitioner submits that informant is not the eye-witness of the occurrence and he has only disclosed the name of two accused on the basis of receiving information, but later on he disclosed the name of 8 more persons, including the petitioner, without any specific overt act against the petitioner. Further submission is that cause of death is of septicemia. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Pupri, Sitamarhi in connection with Nanpur P.S. Case No.99 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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