

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59944 of 2017

Arising Out of PS.Case No. -170 Year- 2016 Thana -IMAMGANJ District- GAYA

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Ajay Thathera S/o Binod Prasad @ Vinod Prasad, R/o Village- Babhandi,
P.S.- Imamganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 17-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Imamganj P.S. Case No. 170 of 2016 registered for the offence punishable under Sections 448, 342, 324, 326 and 307 of the Indian Penal Code subsequently Section 302/34 of the IPC was added.

Informant is nephew of deceased Kamli Devi who in his fardbeyan has stated that his Aunty Kamli Devi was sleeping in the night at about 12.15 AM she was stabbed by some unknown miscreants and on raising of alarm by Kamli Devi he went there and saw that Kamli Devi is lying in a pool of blood and thereafter



the other family members carried the injured in Primary Health Centre, Imamganj, but seeing the seriousness of injured she was referred to Magadh Medical Hospital. FIR was registered against unknown. However, on 26.11.2016 after one and half months statement of deceased was recorded by the police and in her statement she has stated that she was stabbed by the petitioner Ajay Thathera accompanied with Vikash Thathera, however such statement was made by none of the witnesses during the investigation. During investigation it was also alleged that prior to the occurrence the toilet of the deceased was also demolished by the said unknown miscreants. However, for the first time the deceased in her statement has stated that toilet was also demolished by Ajay Thathera and Vikash Thathera although she could have disclosed name of these persons as it has not come in investigation that throughout she was unconscious. It has further stated that petitioner has no criminal antecedent and he is in custody since 17.06.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned S.D.J.M., Sherghati (Gaya), in connection
with Imamganj P.S. Case No. 170 of 2016.

(S. Kumar, J)

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