

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16012 of 2018

Arising Out of PS.Case No. -244 Year- 2017 Thana -DARBHANGA SADAR

District- DARBHANGA

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Surya Narayan Das, S/o Ram Bilash Das, Residence of
Mohalla/Vill.- Shiso Purbi, P.S.- Sadar (Mabbi O.P.), Distt.-
Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :Mr. Y.C. Verma, Sr. Adv.

For the Opposite Party/s Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 09-04-2018

The petitioner seeks bail in anticipation of his
arrest in connection with Sadar (Mabbi O.P.) P.S. Case
No. 244 of 2014, dated 12.06.2017, instituted for the
offences punishable under Sections 147, 148, 341, 323,
307, 302, 504 and 506 of the Indian Penal Code.

The wife of the informant died in the
occurrence. It has been alleged by the informant that
while he was constructing a boundary wall, many persons
of the village, who have been named in the First
Information Report, came and prevented him from



constructing the wall. On his refusal, the accused persons assaulted him and his wife. The petitioner has not been named as one of the assailants or the person who was even present at the place of occurrence. The name of the petitioner has been taken in the First Information Report by the informant as the person who had instigated the villagers to commit the occurrence. However, during the course of investigation, the complicity of the petitioner in the offence could not be ascertained and hence he was not sent up for trial. The learned Chief Judicial Magistrate, however, differing with the police report, so far as the petitioner is concerned, took cognizance against him as well by order dated 15.09.2017.

Regard being had to the fact that the petitioner, above named, is not alleged to have done anything and his implication in this case is only on the basis of suspicion in the mind of the informant that he had instigated the villagers to commit the crime, he is directed to 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate-IV, Darbhanga in connection with Sadar (Mabbi O.P.) P.S. Case No. 244 of 2017.

(Ashutosh Kumar, J)

Praveen-II/-

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