

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15344 of 2020

Arising Out of PS. Case No.-115 Year-2019 Thana- TETERHAT District- Lakhisarai

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GHOGHI SINGH S/o Late Rajendra Singh Resident of Village/ Muhalla-
Mahisona, P.S.- Tetarhat, Distt- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjiv Kumar Singh
For the State	:	Mr.Raj Ballabh Singh
For the informant	:	Mr. Ram Vinay Prasad Singh @ Sanjay

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case initially registered under
Sections 341, 323, 307, 379, 504/34 and later on, section 302 of
the Indian Penal Code was also added.

The prosecution case in brief is that the accused persons
assaulted the brother of the informant. The informant's brother
was taken to hospital but died in course of treatment.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 07-11-2019.
Charge sheet has already been submitted. The alleged
occurrence is said to have taken place on 30-08-2019. The FIR



was instituted on 10-09-2019. The delay in instituting the FIR has not been explained by the prosecution. The case was instituted for an offence under Section 307 of the Indian Penal Code. After a lapse of 15 days, the brother of the informant is said to have succumbed to the injuries. The death is caused to secondary haemorrhage and not due to the primary haemorrhage. The postmortem report indicates that the death was occurred due to cerebral injury and its complication. The injury is said to have caused due to brick batting. At best, it is a case of 304-II of the Indian Penal Code.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Tetarhat P.S. Case No. 115 of 2019.

(Sudhir Singh, J)

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