

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52024 of 2021

Arising Out of PS. Case No.-106 Year-2020 Thana- BIBHUTIPUR District- Samastipur

GANGIYA DEVI W/o Harikishun Noniya Resident of Village - Madhopur,
P.s.- Bibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 307, 323, 337/34, 504 and 302 of the Indian Penal Code.

It is a case assault by means of bricks upon the father-in-law of the informant by the accused persons including the petitioner due to which deceased, namely, Rambilash Mahto succumbed to injury.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is no specific allegation against the petitioner and after completing the investigation, the petitioner was not sent up for trial but the court below has taken



cognizance against the petitioner.

Learned APP appearing for the State opposed the anticipatory bail and submitted that the death is caused by means of bricks but there is no specific overt-act against this petitioner. Postmortem report also shows that one lacerated wound has been found by the doctor during the course of conducting postmortem.

Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 106 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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