

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7511 of 2015

Arising Out of PS.Case No. -100 Year- 2014 Thana -KOCHAS District- SASARAM (ROHTAS)

1. Ramesh Pal
2. Rajendra Pal
3. Rangila Pal All son of Late Ramnath Pal Resident of Chitandihra, P.S.
Kochas, District Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. C. Jawahar (APP)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 19-05-2015 Heard counsel for the petitioners, the informant and the State.

Petitioners are accuseds in Kochas P.S. Case No. 100/2014 instituted under section 302/34 IPC. The informant along with his father was going when eight accused persons named in the FIR including the petitioners are said to have arrived at the place of occurrence. They were armed with Lathi, Tangi and stones etc. On the order given by the co-accused Dulari Kuer, it is alleged that all of them indiscriminately assaulted the father of the informant as a result whereof he died.

Counsel for the petitioners submitted that in the FIR there are general and omnibus allegations against all the accused persons including the petitioners. However, in course of investigation, the statements of the daughter of the victim namely Savita Kumari, one Sipahi Pal and Raj Grih Pal were recorded. On perusal of their statements it appears that Umesh Pal lacerated

the head of the victim with Tangi which ultimately caused his death. In their statements general allegation has been attributed to the remaining accused persons including the petitioners. Referring to the post mortem report it has been submitted that the doctor found only two incised injuries on the parietal/frontal part of the brain which ultimately caused the death. The petitioners are in languishing in jail since 02.01.2015 and they carry no criminal antecedent.

Regard being had to above, petitioners abovenamed are directed to be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in Kochas P.S. Case No. 100/2014 on condition that one of the bailors of each of the petitioners shall be own/close family members. No sooner the charges are framed the petitioners shall appear on each date fixed at the trial. Failure in appearance on two consecutive dates shall entail cancellation of their bail bonds.

(Kishore Kumar Mandal, J)

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