

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23044 of 2015

Arising Out of PS.Case No. -75 Year- 2010 Thana -CHAPRA MUFFASIL District- SARAN

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1. Chandan Rai @ Chandan Kumar Rai, son of Badan Rai, resident of
Village- Belwaniya, P.S. - Garkha, District- Saran..... Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw

For the Opposite Party/s : Mr. Sharda Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 18-09-2015

Heard both sides.

The petitioner seeks bail in a case under Section 302
and other sections of the Indian Penal Code.

The informant alleged that some dispute arose
between two teams during cricket match. Munna is said to have
assaulted Alok Kumar Singh with cricket bat on his head. Blood
started oozing out and Alok Kumar Singh fell down on the ground
thereafter Akhilesh, Chandan, the petitioner, and Amrendra are
also alleged to have assaulted Alok Kumar Singh with cricket bat
on his head and chest. Other players are also alleged to have
assaulted Alok Kumar Singh, Ranvijay Singh and Vickky. Alok
Kumar Singh died on 29.04.2010.

It is submitted that the informant in his further
statement stated that only Munna assaulted Alok Kumar Singh
with cricket bat on his head. The head was smashed. It is further
submitted that Akhilesh, Chandan and Amrendra are alleged to

have assaulted on chest and other parts of his body but no injury was found. One injury was found on nose and elbow which are attributed to Satyendra. Akhilesh has been granted anticipatory bail by a bench of this court vide order passed in Cr. Misc. No. 23418 of 2012. The case of the petitioner stands on same footing as that of Akhilesh. The petitioner is in jail since 15.07.2014. The petitioner has already remained in jail for more than one year.

The learned Additional Public Prosecutor does not dispute these facts.

Taking into account the fact that Munna assaulted Alok Kumar Singh on his head and Alok Kumar Singh fell down on the ground and thereafter Akhilesh, Chandan and Amrendra are said to have assaulted but no other injuries are found except the injury on nose and elbow, which are attributed to Satyendra, and the case of the petitioner stands on the same footing as that of Akhilesh who has already been enlarged on bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri S. D. Bharti, learned Judicial Magistrate, Saran at Chapra in Chapra Muffasil P.S. Case No. 75/2010.

(Prabhat Kumar Jha, J)

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