

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5242 of 2015

Arising Out of PS.Case No. -429 Year- 2013 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Sanjay Kunwar @ Sanjay Kumar Son of Raj Bali kunwar
 2. Raj Bali Kunwar Son of Late Shambhal Kunwar, Both Resident of
Village – Basudeopur, P.S- Muffasil, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Bharat Lal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 06-05-2015 Heard learned counsel for the petitioners, informant and
learned APP.

The petitioners seek their bail in a case registered under
Section 307 and other sections of the IPC.

The informant alleged that while was talking with Ram
Bilas Kunwar, Ranjit Kunwar and Raj Bali Kuwar (Petitioner
no.2) came and assaulted him thrice with Pagharia (sickle). It is
further alleged that Raj Bali Kuwar, Sanjay Kunwar (Petitioner
no.1) and Ramand Kunwar having armed with lathies, came there
and brutally assaulted him causing fracture injuries on his legs and
hands.

Learned counsel for the petitioners submits that the
informant made omnibus and general allegation of assault against
the petitioners and other accused persons, namely, Bitu Kunwar
and Rituraj Kunwar, whereas the informant made specific
allegation against Ranjit Kunwar that he assaulted him. The
injury reports show that the informant got one cut injury on scalp

and four fracture injuries on hands and injury no.(iii) is cut injury. The injuries have been opined to be grievous in nature.

Learned counsel for the informant and learned APP, however, opposed the prayer for bail and submitted that Ram Bilas Kuwar, in para-9 of the case diary, disclosed that Ranjit Kuwar, Sanjay Kunwar, Ram Bali Kunwar and Raman assaulted Rajiv Kunwar with lathies.

It appears that the informant did not make any specific allegation of assault against these two petitioners whereas Ram Bilas Kunwar made allegation against the petitioners that they assaulted the informant. It further appears that there is specific allegation that Ranjit Kunwar repeatedly assaulted the informant causing grievous injuries.

Considering the facts aforesaid, both the petitioners, named above, are 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 the Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufassil P.S.Case No.429 of 2013.

(Prabhat Kumar Jha, J)

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