

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25724 of 2015

Arising Out of PS.Case No. -565 Year- 2013 Thana -KRITYANAND NAGAR District- PURNIA

- =====
1. Om Prakash Rishi son of Daya Nand Rishi
 2. Sanjay Rishi son of Nago Rishi Both

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-07-2015

Heard learned counsels for the petitioners and the

State.

The petitioners are languishing in custody since
08.02.2015 and 10.02.2015 in a case registered for the offences
punishable under sections 147/148/149/341/323/302 of the
Indian Penal Code.

It is alleged that the accused persons were
ploughing the land of the informant when father of the informant
made protest then the petitioner along with co-accused Sahid
Rishi and Ajay Rishi caught hold the father of the informant and
Daya Nand Rishi assaulted with 'dabiya' on the head of the father
of the informant whereas Nago Rishi assaulted with iron rod on
the testicle, as a result, the father of the informant died on the
spot.

It is submitted by learned counsel for the petitioner that

only accusation against the petitioner no.1 is that he caught hold the father of the informant whereas petitioner no.2 was only member of unlawful assembly and accusation of assault has been levelled only against Daya Nand Rishi and Nago Rishi. There is counter version of the occurrence and in the background of land dispute the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation of assault being not levelled against these petitioners, let them be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar. P.S. Case No.565 of 2013.

(Dinesh Kumar Singh, J)

Ashwini/-

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