

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27854 of 2015

Arising Out of PS.Case No. -202 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Chandrika Prasad Son of Late Sukdeo Prasad
2. Rajdeo Prasad Son of Chandrika Prasad
3. Chhathu Kumar Son of Chandrika Prasad All residents of village -
Sansaraiya, P.S. Bettiah Muffasil, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 23-11-2015 Heard the learned counsel for the petitioners, the

learned A.P.P as also the learned counsel for the Informant.

The petitioners seek bail in a case for the offences
punishable under sections 323, 341, 302, 307, 379, 448 and 504/34
of the I.P.C

Allegedly, the petitioner no.1 being armed with farsa,
petitioner nos. 2 and 3 armed with lathi and bamboo brutally
assaulted Gokhul Kumar, the son of the informant, causing his
death and further petitioner nos. 2 and 3 committed theft of cash
and ornaments.

Submission is of false implication and that there is

admittedly land dispute between the parties, the parties are relatives, medical evidence does not support the prosecution version and as such the petitioners who are suffering in custody since 18.04.2015 and 22.04.2015 deserve sympathetic consideration as the injuries caused to petitioner nos. 1 and 2 have not been explained which is evident from paragraphs- 40 and 41 of the case diary.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioners are the assailants.

In the facts and circumstances as stated above, considering that the petitioners assaulted the informant brutally causing his death and as such this Court is not inclined to enlarge the petitioners on bail and accordingly their such prayer stands rejected in connection with Bettiah Muffasil P.S. Case No. 202 of 2015 pending in the Court of C.J.M. West Champaran, Bettiah.

Abhay/-

(Jitendra Mohan Sharma, J)

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