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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28391 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -KALUAHI District- MADHUBANI

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1. Ajay Sahani son of Gunjan Sahani Resident of Village - Malmal, Police Station - Kaluahi, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. D.P. Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 05-08-2015 Heard the learned counsel for the petitioner, the learned counsel for the informant and the learned Additional Public Prosecutor.

The petitioner seeks bail in a case under Section 302/34 of the Indian Penal Code.

The widow of the deceased made allegation that while her husband was returning after offering Namaj Radhey Shyam Yadav and seven others sitting on a tea stall asked her husband to play colours but on refusal Radhey Shyam Yadav caught her husband and Gunjan Sahani assaulted her husband with stick on his neck and head. Her husband fell down thereafter other accused persons also assaulted him.

It is submitted that only one injury was found on the

skull which is attributed to Gunjan Sahani and the doctor did not find any injury on the body of deceased. The petitioner and others are alleged to have assaulted with fists and slaps.

The learned counsel for the informant, however, opposed the prayer for bail and submitted that the case is of very serious nature.

Considering the facts aforesaid and the fact that omnibus and general allegation is made against the petitioner whereas specific allegation is made against co-accused Gunjan Sahani that he assaulted with stick on the head of deceased and the doctor found only one injury, 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 Atulveer Singh, learned Judicial Magistrate, 1st class, Madhubani in Kaluahi P.S. Case No. 18/ 2015 corresponding to G. R. No. 520/2015.

(Prabhat Kumar Jha, J)

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