

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33746 of 2014

Arising Out of PS.Case No. -41 Year- 2014 Thana -KADMA District- KATIHAR

- 1. Niraj Mahaldar
- 2. Suraj Mahaldar both son of Bindeshwar Mahaldar
- 3. Pintu Mahaldar Son of Awadhesh Mahaldar all are resident of Village - Bhogawan (Kothi), P.S. - Kadwa, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.36431 of 2014

Arising Out of PS.Case No. -41 Year- 2014 Thana -KADWA District- KATIHAR

- 1. Shivjatan Mahaldar @ Lapkan Mahaldar Son of Late- Daso Mahaldar, resident of village- Bhaugauw Kothi, P.S.- Kadwa, District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.23735 of 2014

Arising Out of PS.Case No. -41 Year- 2014 Thana -KADMA District- KATIHAR

- 1. Anil Mahaldar
- 2. Sunil Mahaldar
- 3. Dulari Mahaldar @ Dular Chand Mahaldar All are Son of Chhanguri Mahaldar Resident of Village - Bhogawan (Kothi), P.S. - Kadwa, District - Katihar.

.... Petitioner/s

Versus

- 1. The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Vinay Ranjan
For the Opposite Party/s : Mr. Yogendra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 16-01-2015

All three petitions are taken en-block as all the above stated petitions arise out of Kadwa P.S.Case No. 41 of 2014 which was initially registered under Section 307 and other minor sections of the Indian Penal Code but later on after death of injured Akhilesh Mahaldar, Section 302 of the Indian Penal code was also added and accordingly all the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

It would appear from the first information report, that it was co-accused, Changuri Mahaldar who gave Samath blow on the head of the deceased whereas general and omnibus allegation of assault has been leveled against the petitioners and it is also stated that Sunil Mahaldar gave one lathi blow, whereas Shivjatan Mahaldar assaulted the deceased by means of bricks causing injury on the chest of the deceased.

Learned counsel for the petitioners submits that the post mortem report of deceased reveals that only one injury was found on the forehead of the deceased and besides the aforesaid injury, there was bleeding from nose and mouth.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above

named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection withKadwa P.S.Case No.41 of 2014.

(Hemant Kumar Srivastava, J)

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