

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38189 of 2014

Arising Out of PS.Case No. -231 Year- 2014 Thana -AGAMKUAN District- PATNA

1. Binod Kumar, Son of Late Sheolal Kewat
2. July Devi, Wife of Binod Kumar,
Both Resident of M.I.G., Sector-III, Block IV, Quarter No.-17, P.S.- Agam
Kuan, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.38534 of 2014

Arising Out of PS.Case No. -231 Year- 2014 Thana -AGAMKUAN District- PATNA

Parmod Kumar, Son of Late Sheo Lal Kewat, Resident of L.I.G., Flat No.
209, Sector - 3, Block - 4, Bahadurpur Housing Colony, P.S. : Agam Kuan,
District : Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance:

(In Cr. Misc. No.38189 of 2014)

For the Petitioner/s : Mr. Dudh Nath Singh, Advocate.

For the Opposite Party/s : Mr. (A.P.P.)

(In Cr. Misc. No.38534 of 2014)

For the Petitioner/s : Mr. Rekha Prasad, Advocate.

For the Opposite Party/s : Mr. (Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 28-01-2015 Since both Cr. Misc. No. 38189/2014 and Cr. Misc.
No. 38534/2014 arise out of Agam Kuan P.S. Case No. 231 of
2014, they are being disposed of by this common order.

Heard both sides.

The petitioners seek regular bail in the aforesaid case

registered under Section 302 and others sections of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Corruption) Act.

The informant alleged that the petitioners took his brother-in-law Abhishek Kumar, but after some time, the petitioners and other accused persons came with his brother-in-law Abhishek Kumar, who was trembling, but accused Vicky Kumar assaulted him with fists. It is further alleged that the accused persons abused the informant by naming his caste.

Learned counsel for the petitioners submits that the petitioners are innocent and they have in fact committed no offence. The deceased was a drunkard and died on account of taking excessive liquor. No external injury was found. Even during the course of investigation, none of the witnesses have supported the fact of assault by the petitioners.

Learned A.P.P., on the other hand, submitted that no external injury was found and the report of F.S.L. is still awaited.

Having considered that the facts that there is allegation that Vicky Kumar assaulted Abhishek Kumar with fists and no external injury was found in the post mortem report and the deceased was in an inebriated condition, the above named petitioners are directed to be enlarged on bail on furnishing bond

of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate, Patna City in Agam Kuan P.S. Case No. 231 of 2014.

(Prabhat Kumar Jha, J)

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