

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37605 of 2014

Arising Out of PS.Case No. -758 Year- 2013 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Nessar Khan @ Md. Naushad S/o Late Ismail Khan, Resident of Village-
Chawani, P.S. Bettiah Town, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.49906 of 2014

Arising Out of PS.Case No. -758 Year- 2013 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Md. Soyeb @ Munna @ Md. Saueb @ Md. Suaib @ Munna Son of Late
Md Nurain R/o Mohalla Chhawani, Ward No. 5, Bettiah, P.S. Bettiah
(Town), District West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 29-01-2015 Both petitions arise out of Bettiah Town P.S. Case No.

758 of 2013 registered under Section-302 & other minor sections
of the Indian Penal Code and accordingly, both the above-said
petitions are being heard and disposed off by this common order.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Although there is specific allegation against the
petitioner in Cr. Misc. No. 37605 of 2014 that he gave iron rod

blow to the deceased but the postmortem report of the deceased reveals that no fracture injury was found and only abrasion over right eyebrow with swelling as well as swelling over neck below left ear -in front was found and the aforesaid finding of the postmortem report is corroborated by the inquest report of the deceased. Furthermore, the doctor opined that the ante-mortem injuries of the deceased were not sufficient to cause his death. So far as the petitioner in Cr. Misc. No. 49906 of 2014 is concerned; there is no specific allegation against him and admittedly, the alleged occurrence took place due to construction of drainage.

Taking into consideration the aforesaid facts and circumstances as well as submission of the parties, let both the petitioners, named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Bettiah Town P.S. Case No. 758 of 2013 to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran.

(Hemant Kumar Srivastava, J)

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