

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41306 of 2015**

Arising Out of PS.Case No. -48 Year- 2015 Thana -GAURICHAK District- PATNA

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1. Sheopujan Prasad, Son of Saryug Prasad, Resident of village-  
Beldarichak, P.S- Gaurichak, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Jitendra Kumar Singh  
For the State Mr. R.P.S. Singh, APP  
For the informant Mr. Prakash Tiwary

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

04/ 17.12.2015 Learned counsel for the petitioner is permitted to make  
necessary correction in this petition within course of the day.

Heard learned counsel for the petitioner, learned Addl.  
Public Prosecutor for the State as well as learned counsel for the  
informant.

According to the prosecution case itself, petitioner and  
seven other FIR named accused assaulted the deceased with different  
weapons such as iron rod and lathi etc but inquest report, contents of  
which have been incorporated by the Investigating officer at paragraph  
3 of the case diary, shows that at the time of preparation of inquest  
report, Investigating officer noticed injuries on the deceased and  
specifically mentioned that there were injuries on nose, right toe and  
in between fingers of the leg. The aforesaid finding of the  
Investigating officer is corroborated by the post mortem report in

which doctor found almost similar injuries and could not give exact cause of death of the deceased and kept reserved his opinion regarding actual cause of death of the deceased.

From perusal of the inquest report as well as post mortem report, it is obvious that no injury was found on the head of the deceased and, therefore, in my view, petitioner is entitled to get privilege of bail. Hence, he (Sheopujan Prasad) is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge VII, Patnacity, Patna in Sessions trial no. 691/2015 arising out of Gaurichak P.S. Case no. 48/2015.

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(Hemant Kumar Srivastava,J)

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