

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44068 of 2015

Arising out of PS.Case No. -175 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

- 1. Mohan Bind, son of Late Kishun Bind. R/o village Saranpur, P.S. Bhabua, District Kaimur at Bhabua.
- 2. Jhamu Bind, son of Rajindra Bind, resident of village Jarmapur, P.S. Chainpur, District Kaimur at Bhabua.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Tribhuwan Narayan, Advocate.
For the Opposite Party : Mr. Manish Kumar 2 (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-12-2015 Heard learned counsel for the petitioners and learned counsel for the State

The petitioners are languishing in custody since 08.07.2015 in connection with Bhabua P.S. Case No. 175 of 2015 G.R. No. 745/2015 for the offences instituted under Section 302/34 of the I.P.C.

The prosecution story, in brief, is that on 16.04.2015, the iformant received telephonic information by one Mahendra Bind that the accused persons, namely, Mohan Bind (petitioner no. 1), Kameshwar Bind, Lalal Bind and Jhamu Bind(petitioner No.2),



have assaulted his brother, namely, Nachak Bind and they have broken his leg and hand by means of Lathi and Danda , soon he again called him and informed that his brother Nachak Bind have died. Getting information of death of his brother, informant came at his village-Sarangpur where he has got information that apart from the aforesaid accused persons, Santoshi Devi, Nachaka Devi and Kanchan Devi have also assaulted his brother between 3.00 A.M. to 5.00 A.M. In the First Information Report the reason for occurrence has been assigned to be previous land dispute.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 08.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioners. General and omnibus allegation has been made against the petitioners. No specific injury has been attributed against the petitioners. There is no eye witness to the alleged occurrence.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the

like amount each to the satisfaction of the learned C.J.M., Kaimur
at Bhabua in connection with Bhabua P.S. Case No. 175 of 2015,
G.R. No. 745/2015.

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(Sudhir Singh, J)