

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39509 of 2015

Arising out of PS.Case No. -3 Year- 2015 Thana -PUSA District- SAMASTIPUR

1. Maheshwar Das, son of Ram Khelawan Das.
2. Rakesh Das @ Rakesh Kr. Das, son of Chandeshwar Das. Both are residents of Village - Malikaur, P.S. - Pusa, District - Samastipur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kr. Thakur, Advocate.

For the Opposite Party : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2015 Heard learned counsel for the petitioners and learned counsel for the State

The petitioners are languishing in custody since 29.06.2015 in connection with Pusa P.S. Case No. 03 of 2015 for the offences instituted under Sections 341, 323, 307 and 302/34 of the IPC.

The prosecution story, in brief, is that on 03.01.2015 at 3 hours while the informant was at his cattle shed then the accused persons namely, Chandeshwar Das, Mukesh Das, Rakesh Das, Maheshwar Das, Prabhat Das, Urmila Devi and Pramila Devi came there armed with iron rod, *Lathi* and *Danda* and started to utter filthy language to him and told to remove his *Bathan* then the



father of the informant told that he has made his *Bathan* over his own land. On this, Urmila and Pramila gave order to take away his life and his son upon which the accused persons assaulted the father of the informant on his head and body with *Lathi* and iron rod causing injury and they also assaulted the informant. They were taken by the villagers to the Government Hospital Pusa and from where the father of the informant was referred to Sadar Hospital, Samastipur but for better treatment he was brought to Mishra Nursing Home and in course of treatment the father of the informant succumbed to the injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 29.06.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioners. General and Omnibus allegation has been made against the petitioners. No specific injury has been attributed against them.

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 J.M. Ist Class,
Samastipur, in connection with Pusa P.S. Case No. 03/2015.

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(Sudhir Singh, J)

