

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32678 of 2015

Arising Out of PS.Case No. -109 Year- 2014 Thana -PURNEA District- MADHEPURA

=====

1. Nand Kishore Mehta
2. Lalo Mehta,
3. Kundan Mehta, All are sons of Sri Shobhi Mehta @ Shobhakant Mehta,
resident of village - Makdampur Korchakka vasa, P.S. - Puraini, district -
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Harendra Kumar Tiwary

For the Opposite Party/s : Mr. Narsing Tanti(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 07-12-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Altogether 13 persons including petitioners are named
in the first information report and it is alleged that all the accused
persons assaulted the deceased by means of lathi, Fersa Garasa
and sword. The informant claimed himself to be an eye witness of
the alleged occurrence and stated that petitioner no. 1 and some
others were carrying sword in their hands and so far as petitioner
no. 2 and petitioner no. 3 are concerned, it is stated that they were
carrying sword, Gandasa and three-nut. The investigating officer
seized one blood strained sword from the place of occurrence and

in course of investigation, co-accused Bhola Mehta was arrested and the said Bhola Mehta confessed that the seized sword belongs to him. The post mortem report of the deceased reveals that altogether four incised wounds were found on the person of the deceased and, therefore, one thing reflects from the post mortem report that except sharp cutting weapon, no other weapon had been used in committing the alleged crime. Furthermore, the sword which was found on the place of occurrence is said to be of co-accused Bhola Mehta and not the petitioner no. 1.

Considering the aforesaid facts and circumstances and | also taking note of this fact that investigation has already been completed, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,1st class, Udakishungang, Madhepura in connection with Purnea P.S.Case No. 109 of 2014.

(Hemant Kumar Srivastava, J)

N.K/-

U		T	
---	--	---	--