

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37719 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

- =====
1. Pankaj Kumar
 2. Amit Kumar @ Puja Kumar
Both Son of Late Sudhir Kumar
 3. Parwati Devi Wife of Late Sudhir Kumar
- All resident of village - Raghopur West, P.S. Jurawanpur, Distt. -
Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. P.K.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 302, 120B of the Indian Penal Code.

The prosecution case is that the agnates of the informant forcibly got stopped construction of the house of the informant. The local people came and persuaded the accused persons, but the accused persons because adamant not allow the construction at any cost and gave

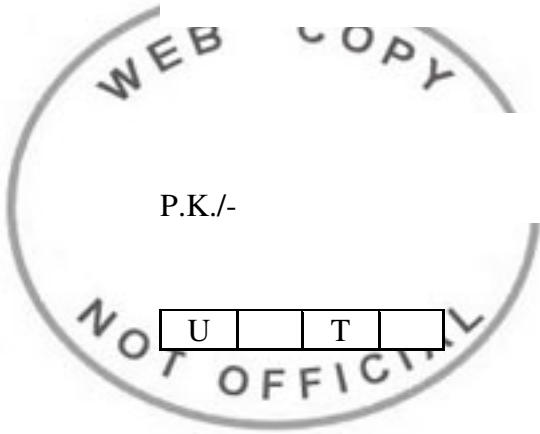


life threatening. It is further alleged that informant and his uncle Anand kumar was going to Patna by Bike when accused persons including the petitioners surrounded the informant and his uncle thereafter co-accused Golu Kumar, Sonu Kumar and Gorakh Kumar came there on bike, assaulted them and ultimately Sonu Kumar fired from country made pistol on the chest of the informant's uncle, who fell down and died on way to hospital.

It is submitted by the learned counsel for the petitioners that only one lacerated injury has been found on the body of informant, when accusation is of making assault to him by several persons. The post-mortem of the uncle of the informant reflects only one fire arm injury and no other injury, which is attributed to Sonu Kumar. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent. Similarly situated co-accused Golu Kumar @ Avisek Kumar has been granted bail vide Cr. Misc. No. 21033 of 2015.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Afzal Alam, Judicial Magistrate, Ist Class, Vaishali at Hajipur in connection with

Raghopur P.S. Case No. 06 of 2015, subject to conditions as
laid down under Section 438(2) of the Indian Penal Code.



(Dinesh Kumar Singh, J)

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