

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45218 of 2014

Arising Out of PS.Case No. -42 Year- 2014 Thana -NARHAT District- NAWADA

- =====
1. Awadhesh Singh @ Awadh Kishore Prasad Singh Son of Late Sitaram Singh
 2. Arvind Singh S/o Awadh Kishore Prasad Singh
 3. Raushan Kumar S/o Pramod Singh
- All resident of village- Narhat, P.S.- Narhat, District- Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 17-04-2015

The application with regard to petitioner no.

1 has already been dismissed as withdrawn since he was arrested.

Heard learned counsels for the petitioners and the State.

The petitioner nos. 2 and are apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

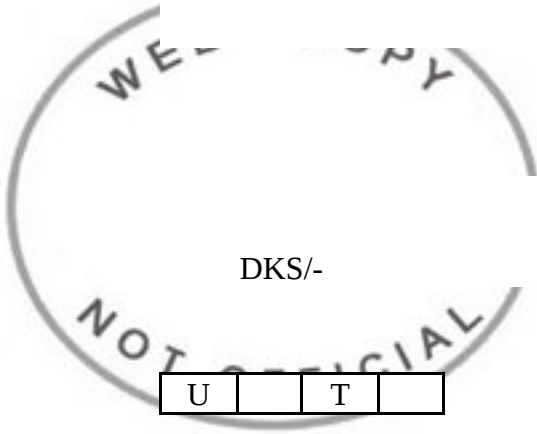
It is alleged that Awadhesh Singh,

petitioners Arvind Singh and Raushan Kumar assaulted with lathi and bricks to the brother of the informant, namely, Bablu Singh when he fell on the ground, thereafter Pramod Singh made assault with iron rod on the head of the victim as a result during treatment in PMCH the victim succumbed to the injuries.

It is submitted by learned counsel for the petitioners that accusation was found false as during investigation it transpired that assault was actually not made by these two petitioners and charge-sheet was submitted against only Pramod Singh, but differing with the final form cognizance has been taken. It is further submitted that accusation of assault against these two petitioners is omnibus and general whereas there is specific accusation of giving repeated blow with iron rod on head by Pramod Singh and the post-mortem report corroborates the accusation against Pramod Singh.

Considering the aforesaid facts, let the above named petitioner nos. 2 and 3 be released on anticipatory 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 Sub-divisional Judicial Magistrate, Nawada in connection with

Narhat P.S. Case No. 42 of 2014, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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