

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34630 of 2014

Arising Out of PS.Case No. -118 Year- 2014 Thana -NARPATGANJ District- ARRARIA

- =====
1. Md. Ziyaul S/o Late SK. Ghafoor
2. Md. Zafrul S/o Md. Jabbar Both Resident of Village Gokhlapur, P.S. Narpatganj, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan
For the Opposite Party/s : Mr. Sanjay Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 16-01-2015 Heard both sides.

The petitioners seek bail in a case registered under section 302/34 of the Indian Penal Code.

Md. Sagir named persons including these two petitioners and alleged that his son complained about damage of wheat crops. The petitioner and others indiscriminately assault. Md. Jahir assault the son of the informant with lathi on head as a result of which he fell down on the ground.

Learned counsel for the petitioner submits that the informant has made allegation of indiscriminate assault on his son Akbar. It is submitted that all the accused persons have indiscriminately assaulted Akbar but the postmortem report show

that the deceased did not get any injury on head and the doctor has found only two injuries one bruise over right elbow and aliment abrasion over back of neck and one old wound over left knee region and has opined that the injuries are not the cause of death. The viscera were preserved.

Having considered the fact that both the petitioners are alleged to have assaulted the deceased with lathi on head but no injury on head was found in the postmortem report, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of C.J.M, Araria in connection with Narpatganj P.S. Case no. 118 of 2014.

(Prabhat Kumar Jha, J)

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