

Arising Out of PS.Case No. -104 Year- 2014 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

.... Petitioner/s

1. The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Nilesh Kumar
For the Opposite Party/s : Mr. Pronati Singh(App)

3 28-01-2015 Heard learned counsel for the petitioners,
learned Additional Public Prosecutor for the State and learned
counsel for the informant.

Sanjay Kumar Yadav son of the deceased alleged that Rishi Kumar and Mednai Devi assaulted his father with brick on his head and when the informant went to save Manoj Yadav petitioner no.1, Falendra Yadav , Bhagwat Yadav and Mahendra Yadav petitioner no.2, Vikash yadav chased the informant but the informant fled away.

Learned counsel for the petitioner submits that

there is no allegation of assault against the petitioner. The allegation of assault is against Rishi Kumari and Mednai Devi.

Learned counsel for the informant submits that independent witness has stated that petitioners have assaulted and two injuries were found on the head of the deceased. On perusal of the record it appears that the informant did not name the petitioners as assailant of his father. The informant made very specific allegations that Rishi Kumari and Medanai Devi assaulted his father with bricks on his head corresponding two injuries were found on the head of the Jadu Yadav the deceased.

Having considered the fact that petitioners are not the assailant, 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 Additional Chief Judicial Magistrate, Hilsa at Nalanda in Islampur P.S. Case No. 104 of 2014.

(Prabhat Kumar Jha, J)

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