

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47774 of 2014

Arising Out of PS.Case No. -22 Year- 2014 Thana -PIRI BAZAR District- LAKHISARAI

Bambam Kumar @ Bambam Singh Son of Anil Singh resident of village-
Kasawa Abhaypur, P.S.- Piribazar, District- Lakhisarai

.... Petitioner/s

VERSUS

THE STATE OF BIHAR OPPOSITE PARTY/S

with

Criminal Miscellaneous No.49102 of 2014

Arising Out of PS.Case No. -22 Year- 2014 Thana -PIRI BAZAR District- LAKHISARAI

Sunil Kumar @ Sunil Mandal Son of Naresh Mandal R/o village Kasba
Abhiyapur P.S- Piribazar Distt- Lakhisarai

.... Petitioner/s

VERSUS

THE STATE OF BIHAR OPPOSITE PARTY/S

Appearance :

(In Cr.Misc. No.47774 of 2014)

For the Petitioner/s : Mr. Ram Hriday Prasad, Adv.

For the Opposite Party/s : Mr. Smt. Pronoti Singh, APP

(In Cr.Misc. No.49102 of 2014)

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 27-03-2015 Criminal Miscellaneous No.47774 of 2014 wherein

Bambam Kumar @ Bambam Singh is the petitioner while in

Criminal Miscellaneous No.49102 of 2014 wherein Sunil Kumar

@ Sunil Mandal happens to be the petitioner commonly originate

out of Piri Bazar P.S. Case No.22 of 2014, accordingly have been

heard together and are being disposed of by a common order.

Heard learned counsel for the petitioners, learned

Additional Public Prosecutor assisted by learned counsel for the

informant.

On account of resistance put forward by the informant Wakil Yadav against the illegal activities of notorious criminal Abhimanyu Singh @ Karu Singh, on the alleged date and time of occurrence Abhimanyu Singh along with his associate so named including these two petitioners came at his house where his father Yamuna Yadav (deceased) along with his co-villager Laxmi Tanti, Baiju Tanti were sitting since before, began to abuse over which they protested and during course thereof, Sunil Kumar and Abhimanyu Singh @ Karu Singh fired. Simultaneously the remaining accused namely Raja Kumar, Bambam Singh, Harna Kumar, Lalan Mandal @ Lau Mandal, Chotu Paswan and others who were armed with lathi and iron rod, began to assault Yamuna Yadav, Laxmi Tanti, Baiju Tanti and Kamal Kishore Tanti. On account of which they sustained severe injuries. Informant, Wakil Yadav also raised alarm and during course thereof, Chotu had fired having miraculous escape. From the case diary it is apparent that the witnesses including that of deceased Yamuna yadav had stated in similar manner. No injury has been caused by means of firearm. The injury report relating to others are not available over case diary however, from postmortem report, it is evident that deceased had sustained six injuries out of which four happens to

be lacerated one while two happens to be abrasion. On dissection fracture has also been noticed as well as deceased had died on account of impact of cumulative effect of above mentioned injuries caused by hard and blunt substance.

Taking into account the omnibus allegation as well as on account of absence of firearm injury which the witnesses themselves stated as the firing was made only to terrorize, petitioners Bambam Kumar @ Bambam Singh, Sunil Kumar @ Sunil Mandal each are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned SDJM, Lakhisarai in connection with Piri Bazar P.S. Case No.22 of 2014.

(Aditya Kumar Trivedi, J.)

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