

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1318 of 2015

Arising Out of PS.Case No. -258 Year- 2013 Thana -MAHARAJGANJ District- SIWAN

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1. Raja Turha, son of Asawan Turha
2. Santosh Turha, son of Gajadhar Turha
3. Raj Kumar Turha @ Raj Kumar, son of Bechu Turha

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra
For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 04-02-2015 Heard learned counsel for the petitioners, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioners are named in the first information report

and there is specific allegation against the petitioner no. 1 that he

gave dagger blow causing injury on the abdomen of the deceased.

So far as petitioners no. 2 and 3 are concerned, general allegation

of assault has been levelled against them.

Learned counsel for the petitioners drew my attention

towards several paragraphs of the case diary to show this fact that

due to scuffle between deceased and his father, deceased himself

caused injury which became fatal for him.

The post mortem report of the deceased reveals that

two incised wounds were found on his abdomen and, therefore, without giving any opinion regarding the alleged occurrence, the prayer for bail of petitioner no. 1, namely, Raja Turha is, hereby, rejected.

So far as petitioners no. 2 and 3 are concerned, they are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 258 of 2013.

(Hemant Kumar Srivastava, J)

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