

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18197 of 2015

Arising Out of PS.Case No. -39 Year- 2014 Thana -BITHAN BAZAR District- SAMASTIPUR

1. Santosh Yadav Son of Ramsagar Yadav resident of Village - Bhikhnaulia, P.S. - Bithan, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav

For the Opposite Party/s Mr. Ram Naresh Roy (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

07/ 07.12.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 8.8.2014 in a case registered under section 302 and other minor sections of the Indian Penal Code. The accusation against the petitioner is that he along with two others assaulted the deceased.

It is admitted case of the prosecution that at the time of alleged occurrence, co-accused Ram Sagar Yadav was carrying **Kudal** in his hand and first blow to deceased was given by the co-accused Ram Sagar Yadav with the said Kudal. The post mortem report of the deceased reveals that, altogether, four injuries were found on his person and one injury was found by sharp cutting weapon on occipital region of scalp of the deceased. The occipital bone of the deceased was found fracture and rest three injuries appear to be a simple in nature. The trial court has reported that charge has already been

framed against the petitioner and the case is pending for recording prosecution witnesses. It appears from the perusal of the First Information Report that the alleged occurrence took place on account of land dispute.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge, Rosera, Samastipur in Sessions trial no. 391/2014 arising out of Bithan P.S. Case no. 39/2014.

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(Hemant Kumar Srivastava,J)

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