

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15231 of 2015

Arising Out of PS.Case No. -71 Year- 2014 Thana -SHARGHAT District- MADHUBANI

- =====
1. Manoj Prasad Sah son of Late Chandeshwar Sah
2. Kishan Kumar son of Manoj Prasad Sah, Both Residents of village-
Kerawa, P.S.- Saharghat, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.19742 of 2015

Arising Out of PS.Case No. -71 Year- 2014 Thana -SHARGHAT District- MADHUBANI

- =====
1. Madhu Kumar son of Ganesh Prasad @ Ganesh Pd. Sah Resident of
Vikllage- Keraba, Police Station- Saharghat, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.15231 of 2015)

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Atul Chandra(App)

(In Cr.Misc. No.19742 of 2015)

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Smt. Gulnar Begum(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

3 29-07-2015

Heard.

Four accused persons are said to have given *lathi* and *phatta* blows to the deceased, the father of the informant as per FIR, which appears the consistent story of the prosecution also in the statements of witnesses recorded under Section 161 Cr.P.C.

The attention of the Court has been drawn by Shri Kanhaiya Prasad Singh, learned senior counsel appearing on behalf of the petitioners in the two petitions, to the postmortem examination report which records two injuries, both lacerated in nature, first measuring 2"x1/2"x bone deep and the second measuring 1"x 1/2"x 1/2" above right eye. The frontal bone and underlying cranial matters were found lacerated.

Contention was that there being no specific allegation as to who had caused the two injuries and at least injury no.1, it is very difficult to assign the role of being the assailant of the deceased to any one.

Considering the general allegations and the non-specific material against the petitioners, let the above named petitioners in the two petitions be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of J.M. Ist Class, Madhubani in connection with Saharghat P.S.Case No.71 of 2014, G.R.No.3445 of 2014.

(Dharnidhar Jha, J)

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