

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43494 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -RAGHUNATHPUR District- SIWAN

1. Hari Shankar Chauhan S/o Late Bihari Chauhan
2. Raju Chauhan @ Raju Kumar Chauhan S/o Hari Shankar Chauhan Both
are Resident of Village - Gabhirar, P.S. - Raghunath, District - Siwan

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Chandra Kant, Advocate.

For the Opposite Party : Mr. Suresh Pd.Singh, (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-11-2015 Heard both sides.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code. Later on Section 302 of the Indian Penal Code was added.

The petitioners and Dhananjay Chauhan are alleged to have come with Lathi and Dhananjay Chauhan is alleged to have assaulted the husband of the informant on his head. Thereafter, the petitioners are also alleged to have assaulted Gaurishankar Chauhan the husband of the informant.

It is submitted that from perusal of the post-mortem report it appears that only one injury on the head was found and on account of which Gaurishankar Chauhan died. There is no other

injury on the body of the deceased.

Learned APP did not dispute the facts.

Having considered the facts aforesaid and the fact that the petitioners are also alleged to have assaulted the deceased with Lathi, after assault made by Dhananjay Chauhan, but except one injury no other injury was found on the person of the deceased, the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Siwan in Raghunathpur P.S. Case No. 4 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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