

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15828 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -BARAULI District- GOPALGANJ

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1. Ravi Ranjan Prasad @ Ravi Ranjan Kumar S/o Shambhu Prasad
 2. Ranjendra Prasad S/o Late Ramayan Prasad
 3. Vishwanath Prasad, S/o Late Ramayan Prasad
 4. Lal Butan Prasad @ Lal Babu Prasad, S/o Late Ramayan Prasad
 5. Rameshwar Prasad S/o Late Shiv Bachan Prasad All are Resident of village- Batardeh, P.S.- Barauli, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava

For the Opposite Party/s : Mr. Smt.Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with Barauli P.S. Case No. 2 of 2015 initially registered for the offences punishable under sections 341, 323, 307 read with 34 of the Indian Penal Code, but subsequently after five days, Section 302 of the Indian Penal Code was also added in the FIR.

It is contended that there was a case and counter case in which both sides sustained injuries. The mother of petitioner no.1 Ravi Ranjan Prasad @ Ravi Ranjan Kumar had sustained serious injuries for which she was taken to hospital and received



treatment. So far as the deceased of the present case is concerned, he had sustained only one injury on his head. The said injury was caused as he had fallen on ground in the scuffle which took place. Since it was an internal hemorrhage, there was no apparent external injury on his person. He was first taken to Barauli PHC from where he was referred to Gopalganj Sadar Hospital and thereafter he was referred to Gorakhpur for treatment where he ultimately died after five days of the occurrence. He has further contended that the post-mortem report would also reveal that there was no apparent external injury on his person.

Learned counsel for the State has opposed the prayer for bail. He has submitted that it is true that there was no apparent external injury but there was at least one injury caused on the head of the deceased as a result of which he became unconscious at the time of incident and thereafter he never regained consciousness and died.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioners named above, who are reported to be men of clean antecedent, 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 the learned Chief Judicial Magistrate,
Gopalganj in connection with Barauli P.S. Case No.2 of 2015,
subject to the conditions as laid down under section 438(2) of the
Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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