

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26913 of 2015

Arising Out of PS.Case No. -115 Year- 2014 Thana -PHULPARAS District- MADHUBANI

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1. Umesh Sah, son of Nathuni Sah.
2. Ranjit Sah, son of Mahendra Sah
3. Mahindra Sah @ Dhokwa son of Late Neti Sah
4. Tuntun Sah
5. Prabhu Sah Both sons of Mohit Sah
All residents of Village-Koiri Tol Jhakharahi P.S. Phulparas, District-Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. A.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 28-09-2015 Heard learned counsel for the petitioner nos. 1,2,4 and 5
and the State.

The petitioner nos. 1,2,4 and 5 are apprehending their
arrest in a case instituted under Sections 341, 323,325,379/34 and
302 of the Indian Penal Code.

It is alleged by the informant that in the night of
12/13/4/2014 at about 2 A.M. when he was in his house, then all
of a sudden, Nathuni Sah, Umesh Sah, Mahindra Sah and Ranjit
Sah came and assaulted the informant with lathi and danta, due to
which, the informant received injuries in his left hand and
thereafter Tuntun Sah and Prabhu Sah came and taken cash of Rs.
50,000/- from the house of the informant.

It has been submitted on behalf of petitioner nos. 1,2, 4 and 5 that they have got no criminal antecedent. Earlier the case was instituted for offence under Sections 341, 323,325,379/34 of the Indian Penal Code. The informant, after a period of one month, had died and thereafter after the death of the informant Section 302 of the Indian Penal Code has been added in the present case. It is also submitted that the informant died due to secondary hemorrhage and not primary hemorrhage.

On behalf of the State, it has been submitted that the petitioner nos. 1,2,4 and 5 are named in the FIR.

Considering the aforesaid facts, let the above named petitioner nos.1,2,4 and 5, namely, Umesh Sah, Ranjit Sah, Tuntun Sah and Prabhu Sah, in the event of their arrest or surrender in the court below within a period of four weeks, 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 learned S.D.J.M., Jhanjharpur, District Madhubani in connection with Phulparas P.S. Case No. 115 of 2004, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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