

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34705 of 2014

Arising Out of PS.Case No. -16 Year- 2014 Thana -ROH District- NAWADA

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1. Rajendra Prasad son of Jagdish Mahto
2. Arjun Prasad son of Jagdish Mahto
Both are residents of Village-Rustampur, P.S.-Roh, District-Nawada
.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nilesh Kumar
For the Opposite Party : Mr. Braj Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 02-03-2015 Petitioners are languishing in custody since 20.06.2014 in a case registered for the offences punishable under Sections 147, 149, 302, 307, 324, 341, 504, 506 of the I.P.C.

It is alleged that brother of the informant was being assaulted by Ranjeet Kumar with iron rod and when the informant came to rescue then Umesh Kumar and Arjun Prasad assaulted the informant and his brother. Subsequently brother of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioners that from the fardbeyan as well as from the subsequent statement of the informant, it appears that there is no accusation of assault against petitioner Rajendra Prasad whereas petitioner Arjun Prasad was armed with Farsa. The postmortem reflects only injury caused by hard and blunt substance. The statements of the family members of the

informant have been recorded in para 10, 11 and 12 of the case diary which reflects that injury was caused to the victim by Ranjeet Kumar. Moreover the accusation has been levelled in the background of serious land dispute.

Considering the aforesaid facts, let the petitioners, above named, 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 Chief Judicial Magistrate, Nawada in connection with Roh P.S. Case No. 16 of 2014.

(Dinesh Kumar Singh, J)

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