

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46727 of 2014

Arising Out of PS.Case No. -126 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

- 1. Shankar Singh Son of Late Meda Singh
- 2. Mantun Singh
- 3. Tuntun Singh Both are Sons of Shankar Singh All are residnet of village- Keshopur Baghri, P.S.- Mufassil, District- Munger

.... Petitioner/s

Versus

- 1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Amitesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL

ORAL ORDER

3 17-03-2015 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case registered for offences punishable under Sections 302/34 of the Indian Penal Code.

The allegation against Shankar Singh and Mantun Singh is to have assaulted the father of the informant and his mother and the allegation against Tuntun Singh is to have assaulted the deceased, who died in hospital during his treatment.

Learned counsel for the petitioner submits that there is a case and counter case between both the parties with the same



occurrence and Mantun Singh has lodged Munger Mufassil P.S. Case No. 127/2014 for the alleged offence under Sections 341, 447, 323 and other allied Sections. The injuries caused by Shankar Singh and Mantun Singh appears to be simple in nature and so far as assault by the petitioner Tuntun Singh is concerned that he assaulted the deceased with Farsa blow but the doctor has not found any sharp cutting injuries.

Learned counsel for the State submits that there is specific allegation of overt act against the petitioners and due to assault by the petitioner Tuntun Singh, the father of the informant died.

Considering the facts and circumstances of the case, it appears that petitioner Tuntun Singh does not deserve bail and his prayer for bail is rejected and petitioners Shankar Singh and Mantun Singh are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Munger Mufassil P.S. Case No. 126/2014 with following conditions :-

- I) One of the bailors will be the close relative of the petitioners.



- II) The petitioners will not indulge in similar or in any other offence.
- III) The petitioners will be well represented in the Court.
- IV) In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bond will be liable to be cancelled by the Court concerned.

(Amaresh Kumar Lal, J)

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