

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15897 of 2015

Arising Out of PS.Case No. -118 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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1. Md. Zahir, Son of Late Sk. Gafur
 2. Md. Shakil @ Sakil, Son of Md. Zahir
 3. Chhedi, Son of Md. Zahir.

All are residents of village - Gokhlapur, Police Station - Narpatganj,
District - Araria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 14-07-2015 Heard the learned counsel for the petitioners, the State and the informant.

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

The allegation is that at the instigation of Md. Jahir, all the accused persons made indiscriminate assault on the head of the deceased, who was taken to the hospital and later on died during treatment.

It is submitted that the injury report and the post mortem examination report show that the deceased had got no head injury and the doctor has found only two injuries; one bruise over right elbow and aliment abrasion over back of neck and one old wound over left knee region. The doctor has opined that the injuries are not the cause of death and viscera were preserved. It is further submitted that in similar facts

and circumstances, the co-accused Md. Ziyaul and Md. Zafrul have been granted bail vide Cr. Misc. No.34630/2014. The petitioners have no criminal antecedents.

The learned counsel for other side could not controvert the contention of the petitioners while opposing their prayer for bail.

Considering the facts and circumstances of the case, let the above-named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri Kumar Gunjan, learned Judicial Magistrate-1st Class, Araria in Narpatganj P.S. Case No.118 of 2014 with the following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.
4. 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)

V.K. Pandey/-

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