

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3802 of 2015**

Arising Out of PS.Case No. -254 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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Kusheshwar Pandit Son of Raghuni Pandit Resident of Vill - Narainpur  
Sepahi, P.S. - Sakra, Distt. - Muzaffarpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Arun Kumar & Mr. Nirmal Kr. Sinha

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3 19-03-2015

Heard both sides.

The petitioner seeks regular bail in a case registered under Section 302 and other sections of the Indian Penal Code.

Ganesh Sah named the petitioner along with eight other accused persons and alleged that the petitioner assaulted his father with lathi. Thereafter, other accused persons, namely, Shiv Chandra Pandit, Santosh Pandit, Kisun Pandit, Lalita Devi, Krishna Devi, Vivek Kumar, Kaushalya Devi and Mukesh Pandit assaulted the father of the informant with lathi and iron rod. Bhola Sah died on way to hospital.

It is submitted that all the nine accused persons are alleged to have assaulted Bhola Sah and Bhola Sah got three injuries. One injury is on his head and the cause of death is on account of the head injury. Who is the author of the head injury

has not been mentioned in the entire case diary. On similar facts, Shiv Chandra Pandit has already been granted bail vide order passed in Cr. Misc. No. 50374/2014. The case of the petitioner stands on the same footing.

Considering the facts that the petitioner along with other accused persons are alleged to have assaulted Bhola Sah but no specific allegation of assault is made against the petitioner and on similar allegation, Shiv Chandra Pandit has already been enlarged on bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Sakra P.S. Case No. 254 of 2014.

**(Prabhat Kumar Jha, J)**

Dilip/-

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