

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6311 of 2015

Arising Out of PS.Case No. -131 Year- 2014 Thana -AWTARNAGAR District- SARAN

1. Kishan Sah @ Kisan Sah S/o Bhola Sah, Resident of village- Manupur,
P.S.- Doriganj, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.6532 of 2015

Arising Out of PS.Case No. -131 Year- 2014 Thana -AWTARNAGAR District- SARAN

1. Vinay Singh @ Vinay Kumar Singh
2. Sanjay Singh Both Sons of Devendra Singh, Resident of Village –
Manupur, P.S. - Doriganj, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.6311 of 2015)

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Anil Kr.Singh 1(App)

(In Cr.Misc. No.6532 of 2015)

For the Petitioner/s : Mr. Ajay Kumar Tiwari

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3. 12-03-2015. Heard both sides.

Petitioners seek bail in a case registered under Sections 302/34 of
the Indian Penal Code.

The informant alleged that while she was keeping watch on her
maize field along with her husband, the petitioners, namely, Vinay Kumar
Singh, Sanjay Singh and Kishan Sah came and assaulted her husband with
rod and lathi on his head. The informant came to her house and again went to
the place of occurrence and by that time, the accused had fled away.

It is submitted that the occurrence took place in the night of 7.10.2014 but the F.I.R. was lodged on 11.10.2014, when the husband of the informant died in the PMCH. The informant filed protest petition on 14.10.2014 in which she stated that her son was also there to keep watch of the maize field but they did not inform the police and the case was lodged naming the petitioners. It is further submitted that one injury was found on the head and three persons are alleged to have assaulted.

It appears from the record that the informant alleged that in the night of 7.10.2014 the occurrence took place and her husband was assaulted by the petitioners but the informant claiming herself to be the eye witness of the occurrence, did not inform the police and after four days of the occurrence, i.e after the death of her husband, the case was lodged. Even the informant, her son and the villagers, who are alleged to have come at the place of occurrence immediately after the occurrence, did not inform the police.

Considering the facts aforesaid, the petitioners, three in number, named above, are 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 Chief Judicial Magistrate, Saran at Chapra in connection with Awtarnagar P.S.Case No.131 of 2014.

(Prabhat Kumar Jha, J.)

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