

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5205 of 2015

Arising Out of PS.Case No. -98 Year- 2014 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Madho Bind
 2. Jangali Bind Both are sons of Bali Bind
 3. Bali Bind S/O Late Subhag Bind
 4. Kishori Bind
 5. Rishimuni Bind@ Rishi Bind
 6. Chhotan Bind
 7. Bhim Bind, All sons of Madho Bind,
 8. Sunil Bind, Son of Jangali Bind
 9. Ramashankar Bind, Son of Kishori Bind
- All Residents of Village Dihariyan, P.S. – Chenari, District – Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Advocate.

For the Opposite Party/s : Mr. R.B.S.Pahepuri(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 06-02-2015 Heard both sides.

The petitioners apprehend their arrest in Chenari P.S.
Case No. 98 of 2014, registered for the offences punishable under
Section 307 and other Sections of the Indian Penal Code.

The informant named 10 persons and alleged that they all
having armed with different weapons came. Ramgahan Bind assaulted
Babban Bind with the Garasa on his head. Jangali Bind assaulted
Babban Bind with Tangi. Kishori Bind assaulted Babban Bind with
Lathi.

Learned counsel for the petitioners submits that there is a

counter version bearing Chenari P.S. Case No. 97 of 2014 which was also registered under Section 307, but later on Section 302 of the Indian Penal Code was added. Ramgahan Bind succumbed to his injuries during the course of treatment. It is further submitted that Babban Bind got two lacerated wounds, Ramgahan Bind is alleged to have assaulted with Garasa on his head. Thereafter Jangali Bind and Kishori Bind are alleged to have assaulted Babban Bind, but no corresponding injuries are found on the persons of the injured.

It appears that there is case and counter case. From the side of the petitioners' Ramgahan Bind died on account of assault made by the informant and others. Injuries of Babban Bind are found to be simple.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Sri Ambika Prasad, the learned Judicial Magistrate, 1st Class, Rohtas in connection with Chenari P.S. Case No. 98 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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