

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30872 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -KASIMBAZAR District- MUNGER

- =====
1. Ram Mandal Son of Ramswarup Mandal
 2. Hakim Mandal @ Sanjeet Kumar Son of Ramswarup Mandal
 3. Raja Kumar Son of Late Pappu Mandal All resident of Bindwara Mandal Tola, P.S. Kasim Bazar, District - Munger

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Kamal Kishore Jha, Advocate.

For the Opposite Party : Smt. Suman Kumari Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2015

Heard both sides.

The petitioners seek bail in a case registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code. Later on after death of Narsingh Mandal Section 302 of the Indian Penal Code was added.

Pramila Devi the widow of the deceased made very specific allegation that Deepak Kumar Mandal assaulted her husband with hammer on back side of his head. Her husband fell down on the ground thereafter Suman Kumar Mandal assaulted her husband with iron rod on his forehead,, blood started oozing. Thereafter, the petitioners Hakim Mandal @ Sanjeet Kumar, Raja Kumar and Ram Mandal are alleged to have discriminately assaulted Narsingh Mandal with iron rod and bricks on his chest and abdomen.

It is submitted that Narsingh Mandal got injuries on occipital region and forehead which were attributed to Deepak Kumar Mandal and Suman Kumar Mandal. The petitioners are specifically alleged to have assaulted on chest and abdomen, but no injury even abrasion was found either on the chest or on the abdomen. The learned Sessions Judge has also referred para – 31 of the case diary and took note of the fact that no injury on abdomen or chest was found.

Learned counsel for the informant as well as the learned APP vehemently opposed the prayer for bail.

Having considered the facts that the petitioners are alleged to have assaulted with iron rod and bricks on chest and abdomen of Narsingh Mandal the husband of the informant, but no injury was found on the chest and the abdomen, the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Shri Sumit Kumar Singh, the learned Judicial Magistrate, 1st Class, Munger in Kashim Bazar P.S. Case No. 65 of 2015.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--