

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2434 of 2016

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

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Deepak Kumar Mandal, Son of Ram Swarup Mandal, resident of Bindwara Mandal Tola, P.S. Kasim Bazar, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Ansuiya Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

6 28-04-2016

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is accused in connection with Kashim Bazar P.S. Case No. 65 of 2015 registered under Sections 341. 323. 504, 338, 380, 457, 307 and 34 of the I.P.C. and later on section 302 and 34 of the I.P.C. was added.

The prosecution case is that on 09.04.2015 at about 2.30 am. Narsingh Mandal, husband of the informant Pramila Devi, came out from his house and went towards his shop and saw Raja Kumar behind his shop, who started fleeing away after seeing him. Her husband had suspicion that Raja Kumar stolen Amplifier of DJ. set and other articles from his shop. When her husband went to complain his family members, he started to abuse him. In

the meantime, villagers reached there and the matter was pacified. Thereafter, her husband returned to his house. At about 5:30 A.M. petitioner Deepak Kumar Mandal along with Suman Kumar Mandal, Makim Kumar Mandal, Ram Mandal and Nithish Kumar Mandal came to her house and started abusing, in that course, her husband came out, on which petitioner Deepak Kumar caused injury through hammer at the head of her husband, who fell down then Suman Kumar Mandal and Makim Kumar Mandal caused injury through iron rod and bricks on his chest, who later on died in course of treatment on 09.05.2015.

Learned counsel for the petitioner submits that in fact, both the informant and the petitioner are co-villagers and next door neighbour and due to some dispute the occurrence took place in which the petitioner and his three brothers named in the F.I.R. also sustained injury regarding which Kashim Bazar P.S. Case No. 64 of 2015 is instituted on 10.04.2015 on the basis of written report of co-accused Ram Mandal @ Ram Kumar. Moreover, it would appear from the Postmortem Report that the deceased died after one month in course of treatment due to septicemia. It is also submitted that petitioner is in custody since 26.08.2015.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on

furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Munger in connection with Kashim Bazar P.S. Case No. 65 of 2015.

(Rajendra Kumar Mishra, J)

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