

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2852 of 2016

Arising Out of PS.Case No. -173 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Raj Kumar Sah
2. Shiv Kumar Sah sons of Subhash Sah, resident of Village- Gandhi Nagar,
P.S.- Bagaha, District- West Chamaparan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. H.A. Khan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 25-02-2016 Counter affidavit is filed on behalf of the informant.

Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel,
appearing for the informant.

There is general and omnibus allegation against
petitioners and other FIR named accused persons that they
assaulted the informant and his other family members but in
course of investigation, when further statement of the informant
was recorded, the informant specifically, stated that it were
petitioners, who assaulted the injured Birendra Kumar Gupta,
causing grievous injury to him.

Learned counsel, appearing for petitioners submits

that the aforesaid injured got treatment in a private hospital and on the basis of report of private hospital, the injury report of aforesaid injured was issued. Moreover, even after completion of investigation, the I.O. failed to collect the CT scan report as well as other documents on the basis of which, the injury report of aforesaid injured was issued by the concerned doctor.

Learned counsel, appearing for informant points out that the injured Birendra Kumar Gupta sustained four grievous injuries and the aforesaid fact, clearly, goes to show that he was assaulted by the petitioners with an intention to commit murder.

Admittedly, there was land dispute between the parties and both sides have lodged cases against each others. Moreover, investigation has already been completed.

Accordingly, petitioners named above, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Bagaha P.S. Case No. 173 of 2015 to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran.

(Hemant Kumar Srivastava, J)

A.K.V./-

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