

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8639 of 2016

Arising Out of PS.Case No. -894 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

- =====
1. SUDHIR SINGH @ LOHA SINGH @ SUDHIR KUMAR SON OF
SUKUL RAI
 2. BHARAT RAI SON OF SUKUL RAI
 3. RAKESH RAI @ PAPA RAI, SON OF LATE MAHENDRA RAI.
- ALL ARE RESIDENT OF VILLAGE- LODIPUR, P.S.- TOWN,
DISTRICT- VAISHALI

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Vinay Ranjan, Adv.

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor assisted by learned counsel

for the informant.

In the background of brawl over having scratch over
swift vehicle belonging to Shivji Rai @ Birendra Kumar, deceased
Rakesh Kumar, a tempo driver was assaulted and then, Vikash son
of Shivji also joined. They have also threatened and then
thereafter, it has been alleged that on the same day at about 02:00

PM while the deceased was in his way to his house, Sudhir Kumar @ Loha Singh, Bharat Rai, Umesh Rai, Rakesh Rai @ Papa Rai, Vikash Kumar lifted him and took away to the Dalan of Rakesh Rai @ Papa Rai where they brutally assaulted with rod, khanti and other sharp pointed weapon.

From the injury report, it is evident that deceased has sustained following injuries:-

- I. Incised wound on right cheek $\frac{1}{2}$ " x $\frac{1}{4}$ " x skin deep.
- II. Incised wound on right arm $\frac{1}{2}$ " x $\frac{1}{4}$ " x skin deep.
- III. Lacerated wound on right foot $\frac{1}{2}$ " x $\frac{1}{4}$ " x skin deep.
- IV. Swelling on right wrist 3"x3".
- V. Swelling on right elbow 3"x3".
- VI. Swelling on left foot 4" x 4".
- VII. Multiple bruise over back.

Postmortem shows presence of ante-mortem injury over back, 13"x12". Abrasion right side of face 1" x $\frac{1}{2}$ ". Abrasion both foot 2 $\frac{1}{2}$ " x 1 $\frac{1}{2}$ ". Fracture of right and left elbow. On dissection, fracture of left 8th 9th rib and the death, in the opinion of the doctor happens to be, due to shock and haemorrhage.

There happens to be omnibus allegation and in the aforesaid background petitioners, Sudhir Singh @ Loha Singh @

Sudhir Kumar, Bharat Rai, Rakesh Rai @ Papa Rai each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No.894 of 2015.

(Aditya Kumar Trivedi, J)

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