

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54779 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

1. Munna Pandit

2. Dinesh Pandit

Both sons of Dilip Pandit resident of village - Dharupur, P.S. - Bikramganj,
Dist. - Rohtas..... Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kumar Singh Vikram

For the Opposite Party/s : Mr. Sadanand Paswan(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 15-02-2016

Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Bikramganj P.S.
Case No. 38 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 307 and 302 of the Indian Penal Code and
Sections 3(ii) (v) of SC/ST (Prevention of Atrocities) Act.

Allegedly, for keeping dog outside the house, on
24.02.2015, dispute arose between the informant and FIR named
accused persons including the petitioners and thereafter, the
petitioners and other co-accused started assaulting the wife of
informant with lathi-danda, tangi and iron rod and when Sangeeta
Kumari, Phool Bihari Ram came, they were also assaulted and
further the son of the informant died in PMCH on 05.03.2015.

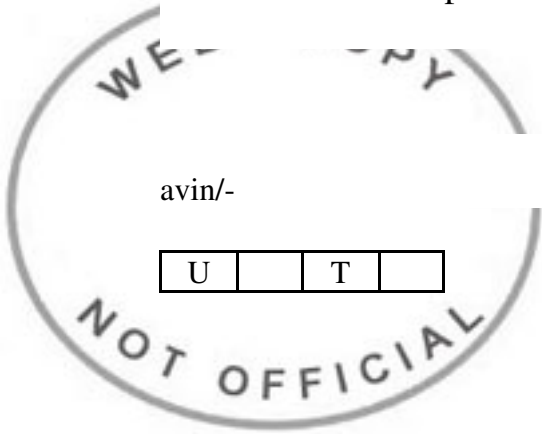


Submission is of false implication and that both sides have received injuries in the said altercation, Phool Bihari Ram, the son of the informant, was not present at the time of occurrence, he died in PMCH due to disease resulting his post mortem was not done, no injury has been caused to the son of the deceased and this fact has been stated by the witnesses vide paragraph 32, 39 and 40 of the case diary, taking the advantage of the death of his son the informant lodged this case after much delay on 07.03.2015 for the alleged occurrence of 24.02.2015 as such the petitioners deserve sympathetic consideration.

Learned APP fairly submits that no post mortem was done.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 38 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive

dates on their part without any reason shall disentitle the
petitioners from privilege of bail.



avin/-

(Jitendra Mohan Sharma, J)