

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6464 of 2016

Arising Out of PS.Case No. -313 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

- =====
1. Umashankar Chaudhary
 2. Fulendra Chaudhary
 3. Arjun Chudhary All S/o Bechu Chaudhary null
 4. Bechu Chaudhary S/o Doma Chaudhary All R/o Village- Balirampur, P.s Karagahar, District Rohtas.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.10139 of 2016

Arising Out of PS.Case No. -313 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Kallu Choudhary S/o Upendra Choudhary R/o Village- Balirampur, P.s Karagahar, District Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.6464 of 2016)

For the Petitioners : Mr. S.M. Shabbir Alam, Advocate

For the Opposite Party : Mr. Yogendra Kumar, APP

(In Cr.Misc. No.10139 of 2016)

For the Petitioner : Mr. S.M. Shabbir Alam, Advocate

For the Opposite Party : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-03-2016 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioners are apprehending their arrest in
connection with Karaghar P.S. Case No. 313 of 2015 for the

offences instituted under Sections 341, 323, 325, 379, 504/34 and 302 of the Indian Penal Code.

As per prosecution case, on 28.11.2015 the informant went to her fields to reap paddy crops at about 10.00 A.M.. After harvesting her crops when she came to the house of one Ajay Choudhary the accused persons started beating her with sticks and sickle and also beating her on stomach with fists and slaps and thereafter during her treatment, she died.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. From perusal of the injury report, it appears that the nature of injury is simple which is evident from para-41 of the case diary. Postmortem report of the deceased is Annexure-2 to the present application. The cause of death has been mentioned as septicemia. Considering the cause of death mentioned in the postmortem report, no offence under Section 302 of the IPC has been made out.

On behalf of the State and the counsel for the Informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period

of six weeks from today in connection with Karaghar P.S. Case No. 313 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-2, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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