

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31842 of 2016

Arising Out of PS.Case No. -140 Year- 2016 Thana -CHHATAPUR District- SUPAUL

- =====
1. Sanjay Chaupal son of Laxmi Chaupal.
 2. Manoj Chaupal son of Jagdeo Chaupal.
 3. Asharfi Chaupal Son of Late Bonai Chaupal.
- All are resident of Village- Katahi, P.S. Chhatapur, (Rajeshwari O.P.)
District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur
For the Opposite Party/s Smt. Veena Rani Prasadd.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 18.08.2016 Heard learned counsel for the petitioners as well as learned
Addl. Public Prosecutor for the State.

Petitioners seek bail in a case registered under section 302
and other allied sections of the Indian Penal Code.

Petitioners are named in the first information report but in
the first information report, informant himself admitted that he as well
as deceased- Santosh Yadav and several other persons were called by
one Jagdish Sharma to demolish some houses and when they started
demolishing houses, petitioners and other FIR named accused persons
including near about hundred unknown persons attacked on them and
in that course, deceased of the present case died whereas informant
sustained serious injury.

Submission on behalf of the petitioners is that written report

of the informant itself, discloses that the prosecution party was aggressor because the informant and his associates were demolishing the house of petitioners and others and after that alleged occurrence took place.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate II, Supaul in Chhatapur P.S. Case no. 140/2016.

shahid

(Hemant Kumar Srivastava,J)

U		T	
---	--	---	--