

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37211 of 2016

Arising Out of PS.Case No. -221 Year- 2015 Thana -SURSAND District- SITAMARHI

=====

1. Irshad Khan @ Chhote son of late Ahmad Khan
2. Mithun Khan @ Navi Raza son of Usman Khan Both resident of Village-
Kumbha, P.S.- Sursand, Dist- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Dr. Anand Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 08-11-2016 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the

offences punishable under Section 302 and other allied sections of

the Indian Penal Code.

Petitioners along with several persons are named in

the first information report with accusation that they mercilessly
assaulted the deceased by means of lathi and other weapons. The
post mortem report of the deceased goes to show that deceased
sustained two injuries on his person. The investigating officer at
the time of preparation of inquest report noticed only one injury on
the head of the deceased.

Submission on behalf of the petitioners is that a free fight took place between the parties on account of land dispute and persons from both the sides sustained injury. It is also pointed out on behalf of the petitioners that one Shakila Khatoon lodged Sursand P.S. Case No. 218 of 2015 against the prosecution party. It is also submitted that having more or less similar allegation, several co-accused have already been granted privilege of bail by co-ordinate Benches of this Court.

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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 221 of 2015.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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