

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37752 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -BAHERA District- DARBHANGA

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1. Mahendra Paswan son of Bauku Paswan.
 2. Bisheshwar Paswan son of Mahendra Paswan
 3. Asheshwar Paswan son of Mahendra Paswan All are resident of Village- Mahadei, P.S. Bahera Dist Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 11-11-2016 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 and other F.I.R. named accused are said to have assaulted the informant, Hirpul Paswan, Injured Santosh Paswan and deceased Manoj Paswan. Admittedly, deceased Manoj Paswan died in course of his treatment after

three days of the alleged occurrence and subsequently, one Vinod Paswan also made his statement after death of Manoj Paswan but said Vinod Paswan added the name of some more persons as assailant of the deceased. However, no specific overt-act has been attributed against these petitioners rather omnibus allegation of assault has been levelled against them.

Learned counsel appearing for the petitioners submits that co-accused, Upendra Paswan and two others have already been granted privilege of bail by a co-ordinate Bench of this court.

On the other hand, learned counsel appearing for the informant opposed the prayer submitting that prayer for bail of co-accused, Madan Paswan was rejected by a co-ordinate Bench of this court vide order dated 30.05.2016 passed in Cr. Misc. No. 23496 of 2016.

Considering the aforesaid submissions as well as this aspect of the matter that after rejection of bail of co-accused, Madan Paswan, a co-ordinate Bench has granted bail to three co-accused persons, whose case is identical to the case of petitioners, 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

Additional Chief Judicial Magistrate, Benipur, Darbhanga in
connection with Bahera P.S. Case No. 59 of 2016.

(Hemant Kumar Srivastava, J)

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