

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43596 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -HULASGANJ District- JEHANABAD

1. Bipin Kumar, S/o Jagdish Sharma @ Manoj Kumar

2. Aman Kumar, S/o Sunil Sharma

Both residing at Vill. Dadpur, P.S. Hulasganj, District – Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binita Singh

For the Opposite Party/s : Mr. Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 14-12-2016

Heard learned counsel for the petitioners and

learned counsel for the State.

Petitioners are accused in connection with Hulasganj P.S. Case No. 26 of 2016 registered under Sections 341, 323, 307 and 302/34 of the I.P.C.

Two brothers of the informant were going on the motorcycle, on the way, they were bitterly assaulted with lathi, danda, etc. by some unknown persons, as a result whereof one of the brothers died and another Nagendra Kumar sustained injuries. The F.I.R. is against unknown.

Submission of learned counsel for the petitioners is that in paragraph-30 of the case diary, the injured did not disclose the name of the assailants, rather in subsequent statement under Section 164 Cr. P.C., he has named these petitioners as assailants.



His further submission is that if the injured was aware that the petitioners were assailants, the name of the petitioners should have come in the F.I.R. itself, which is the earliest version of the case.

Learned counsel for the informant opposed the prayer of the petitioner for bail.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Jehanabad in connection with Hulasganj P.S. Case No. 26 of 2016.

(Birendra Kumar, J)

Shail/-

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

