

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47375 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

1. Deepak Das

2. Chandan Das

Both sons of Shankar Das resident of Village- Indupur, Police Station- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s Mr. Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 22.12.2016 Supplementary affidavit is filed on behalf of the petitioners.

Let it be kept on record.

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

Petitioners seek bail in a case initially, registered under section 307 and other minor sections of the Indian Penal Code but subsequently, section 302 Indian Penal Code was also added.

Petitioners and nine other FIR named accused are said to have assaulted the informant and others as a result whereof Rajeev Singh, Sonu Singh and Siyaram Singh sustained injuries and later on, in course of treatment, injured Siyaram Singh died.

Submission on behalf of the petitioners is that there is case and counter case between the parties and the impugned order goes to show that brick batting had taken place between the parties and in that



course, the injured as well as deceased of this case sustained injuries. It is further submitted that moreover, no specific overt-act has been attributed against these petitioners.

Post mortem report of the deceased goes to show that the deceased sustained only one injury on his head but it is not clear who is author of the said injury and investigation against the petitioners has already been completed.

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 Chief Judicial Magistrate, Lakhisarai in Barahiya P.S. Case no. 95/2016.

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(Hemant Kumar Srivastava,J)

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