

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36769 of 2016

Arising Out of PS.Case No. -210 Year- 2015 Thana -PUPRI District- SITAMARHI

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1. Md. Irsad S/o Hanif.
2. Md. Saddam S/o Hanif, Both Resident of Village- Balu Tola
Bachharpur, P.S- Pupri, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Sanjay Kumar, Advocate.

For the Opposite Party : Mr. Ram Bilash Roy Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-12-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since
02.06.2016 in connection with Pupri P.S. Case No. 210 of 2015
for the offences instituted under Sections 147, 341, 323, 324, 307,
379, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that the informant and
petitioner no. 1 came at Railway Gumti. On instigation of
petitioner no. 1, all accused surrounded him and demanded
ransom. On refusal, they assaulted the informant with fists and
slaps. The petitioners gave knife blows on his head and near eye



with intention to kill him. Accused Ladle assaulted him with fighter wearing in his palm and remaining accused assaulted him with fists and slaps and danda. Petitioners gave him knife blow on his thigh, back and palm. He received serious injuries, became unconscious and fell down.

A report was called for in respect to nature of injury. It has been reported that final opinion has not yet been brought on record by the prosecution.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 02.06.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioners. They have got no criminal antecedent. Altogether 10 persons are named in the FIR including the petitioners. The nature of injury has not yet been ascertained as it is evident from the report called for from the court below which is a latch on the part of the prosecution.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned S.D.J.M., Pupri



at Sitamarhi in connection with Pupri P.S. Case No. 210/2015.

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(Sudhir Singh, J)

