

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39206 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -MAIRWA District- SIWAN

Surendra Prasad, Son of Jagarnath Prasad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjeet Kumar, Adv.
Mr. Mohit Shrivastava, Adv.
For the State : Mr. R.P.S. Singh, A.P.P.
For the Informant Mr. Ajay Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 18-11-2016 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

The informant is full brother of the petitioner and it
appears from perusal of the materials collected by the
investigating officer in course of investigation that there was
dispute between informant and petitioner on the point of partition.
Moreover, it is alleged that petitioner as well as his son assaulted
the informant and deceased. The deceased is none else than own
Bhabhi of the petitioner. The post mortem report of the deceased

goes to show that one fracture injury was found on her scalp. The investigation against the petitioner has already been completed and the witnesses stated that petitioner as well as co-accused gave fatal blow to deceased but it is not specific as to whose blow became fatal to the deceased.

Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Mairwa P.S. Case No. 43 of 2016.

(Hemant Kumar Srivastava, J)

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