

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46867 of 2015

Arising out of PS.Case No. -154 Year- 2015 Thana -AKBARPUR District- NAWADA

Bundel Ram, son of late Mahabir Ram, resident of village- Pokhra, P.S. Akharpur, Dist- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.49960 of 2015

Arising out of PS.Case No. -154 Year- 2015 Thana -AKBARPUR District- NAWADA

Dilip Ram, Son of Sri Bundal Ram, resident of Village - Pokhra, P.O. - Akbarpur, District - Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.46867 of 2015)

For the Petitioner : Mr. Birendra Kumar, Advocate.

For the Opposite Party : Mr. Nityanand Tiwary, A.P.P.

(In Cr.Misc. No.49960 of 2015)

For the Petitioner : Mr. Birendra Kumar, Advocate.

For the Opposite Party : Mr. Nityanand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 09-03-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Akbarpur P.S. Case No. 154 of 2015 for the offences instituted under Sections 302/34 of the IPC.



The prosecution story, in brief, is that on 13.06.2015 at about 9 O'clock, the informant along with his father went to his garden of mango for watching it and at about 11 O' clock, all the F.I.R. named accused persons including the petitioners came there and started plucking mango and when his father forbade to do so, all have started abusing his father and Bundel Ram ordered to kill upon which all the aforesaid persons thrashed his father down and started assaulting him brutally with leg and kick and when the informant went to save his father he too assaulted. On hulla, villagers came there and the accused persons fled away and thereafter with the help of villagers the informant carried his father to Akbarpur for treatment and in the way he died near the field of Ram Janki Maharaj.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. As per prosecution case, general and omnibus allegation has been made against the petitioners. No specific injury has been attributed against the petitioners. From perusal of the Postmortem report which is in paragraph no. 20 of the case diary, it is evident that no external and enternal injury has been indicated by the doctor and the cause of death also could not be ascertained.

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 in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Akbarpur P.S. Case No. 154/2015 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 A.C.J.M., Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)