

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57718 of 2015

Arising Out of PS.Case No. -141 Year- 2015 Thana -NAUGACHIA District- BHAGALPUR

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1. Manoj Pandit, Son of Durga Pandit
 2. Sanjay Pandit Son of Durga Pandit
 3. Dilip Pandit Son of Durga Pandit
 4. Durga Pandit Son of Late Domi Pandit All are resident of Nonia Patti, Naugachia, P.S. Naugachia, Distt- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 24-02-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offence punishable under section 302/34 of the I.P.C

Allegedly, the petitioners started abusing the informant and his family members and when Bishwanath Pandit, the father of the informant, came for rescue he was assaulted by them resulting the father of the informant sustained grievous injury and fell down. He was brought for treatment at Subdivisional Hospital, Naugachia where after treatment he was referred to Mayaganj Hospital and from there he was referred to

Patna but he was brought at Siliguri in Paramount Hospital where he died and then his dead body was brought at Naugachia Police Station and the case was lodged.

Submission is of false implication and that the first information report has been lodged after three days of the occurrence, only one injury has been found on the person of the deceased and during investigation it has come that Ramesh Ram gave lathi blow on the head of the deceased vide paragraphs- 15 and 16 of the case diary and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that the petitioners are named in the FIR.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. Naugachia, District- Bhagalpur in Naugachia P.S. Case No. 141 of 2015/ G.R. No. 870 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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