

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6664 of 2016

Arising Out of PS.Case No. -607 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Chhathu Rai
2. Tiwari Kumar Both Sons of Chanardeo Rai, Both R/o Village -
Jaisinghpur Chilrao Tola, P.S. - Turkauliya, District - East Champaran.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. D.P.Tiwary(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners seek bail in a case registered for
the offences punishable under sections 302 and other allied
sections of the Indian Penal Code.

Allegedly the petitioners and co-accused Munna
Kumar started assaulting Anil Kumar Yadav, brother of the
informant with Danda and Mungri and co-accused Bhannu Rai
assaulted with bamboo on the head of Anil Yadav as a result of
which his head was ruptured and he fell down and further co-
accused Chanderdeo Yadav assaulted with Danda on the eyes of
Anil Yadav.

Submission is of false implication and that during
investigation the wife of the deceased and other witnesses being

eye witnesses have stated that at the instigation of Chandradeo Yadav Bhannu Rai assaulted Anil Yadav on his head with bamboo causing injury and he fell down and thereafter he was brought to Sadar Hospital from where he was referred to P.M C.H. and during treatment he died and as such the petitioners are not the assailants, the doctor who has conducted post mortem examination has also found the cause of death due to head injury and its complication.

Learned A.P.P duly assisted by the learned counsel for the informant opposed the prayer for bail by submitting that in the first information report against the petitioners also there is allegation of assaulting the deceased.

In the facts and circumstances stated above and considering that during investigation Bhunna Yadav has been alleged to be the assailant, the petitioners above named are directed to be enlarged 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 Chief Judicial Magistrate, Motihri (East Champaran) in connection with Turkawaliya P.S. Case No. 607 of 2015.

(Jitendra Mohan Sharma, J)

Amin/-

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