

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15121 of 2016

Arising Out of PS.Case No. -198 Year- 2008 Thana -KOTWALI District- MUNGER

- =====
1. Md. Tarzan @ Md. Tarjan.
 2. Md. Tinku, Both sons of Md. Sohrab.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 18-04-2016

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners are in jail custody since 28.08.2015 in a
case initially registered for the offences punishable under Section
307 and other minor sections of the Indian Penal Code but
subsequently, Section 302 of the Indian Penal Code was also
added.

It is alleged that petitioners and other F.I.R named
accused persons assaulted the informant as well as deceased, Md.
Parvej by means of lethal weapons as a result of which, Md.
Parvej died in course of his treatment.

Learned counsel for the petitioners points out that
deceased, Md. Parvej sustained one injury on his scalp but it is not
specific who caused the aforesaid fatal injury. Furthermore, it is

submitted that in course of investigation, the doctor found four injuries on the person of the deceased but except one injury, all the injuries were found abrasions. It is further submitted that in course of trial, the informant stated that petitioners had not participated in the alleged crime which is evident from perusal of Annexure-3 to the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners 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 5th Additional Sessions Judge, Munger in connection with Sessions Trial No. 164 of 2015 arising out of Sadar Kotwali (Basudeopur) P.S. Case No. 198 of 2008.

(Hemant Kumar Srivastava, J)

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