

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12309 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -BARAULI District- GOPALGANJ

=====

1. Shambhu Manjhi S/o- Subhash Manjhi
2. Sanyashi Manjhi S/o- Subhash Manjhi
3. Samjhawat @ Samjhawata Manjhi S/o- Subhash Manjhi, All are R/o-
Sishi, P.S.- Barauli, Distt- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party : Mr. Pranav Kumar(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 03-05-2016

Heard learned counsel for the petitioners and

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Barauli PS case no. 90/2015 for allegedly having committed the offence under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submit that the mother of the informant was killed as she made a protest regarding destruction of the *kharhi* at the hands of the accused persons. It is submitted that on protest having been made by the mother, the accused persons assaulted her with fists and slaps as a result of which she succumbed to her injuries. Learned counsel for the

petitioners further submit that there is general and omnibus allegation against the petitioners that they have assaulted the deceased with fists and slaps. Though it has been alleged that there are several injuries on the person of the deceased, rather the doctor has opined that the death was natural.

Considering the fact that the post mortem report do not support the prosecution story and no external injury was found on her person let the petitioner, abovenamed, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Barauli PS case no. 90/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J.)

rinkee/-

U			
---	--	--	--