

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14433 of 2016

Arising Out of PS.Case No. -84 Year- 2015 Thana -BABUBARHI District- MADHUBANI

1. Md. Arif Son of Md. Jainul
2. Md. Bablu Son of Md. Jakir, both resident of Village- Joshpur, P.S.-
Khajauli, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Satyaverat Verma (APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-04-2016

Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners apprehend arrest in connection with
Babubarhi P.S. Case No. 84/15 for offences alleged under
Sections 147, 148, 149, 341, 323, 302/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant
is that regarding distribution of mango some altercation took place
between the father of the informant and the petitioners including
others, in which all the accused persons assaulted his father by
fists and slaps, he became unconscious and after treatment died at
the hospital.

It has been submitted by the learned counsel for

the petitioners that an altercation took place but the father of the informant being an old and sick man of 65 years died of heart attack, as is evident from the post mortem report and, although, the allegation upon the petitioners is beating by fists and slaps but the post mortem report suggests that there is no evidence of internal or external injuries. It has further been submitted that the petitioners have no criminal antecedent.

However, learned APP for the State submits that petitioners are named in the First Information Report and hence opposes the prayer for bail.

Be that as it may, since the post mortem report does not specify any external or internal injury on the deceased, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, 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 learned ACJM-II, Madhubani, in connection with Babubarhi P.S. Case No. 84/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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