

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25102 of 2016

Arising Out of PS.Case No. -63 Year- 2015 Thana -JALALPUR District- SARAN

- =====
1. Umesh Ram, Son of : Laldhar Ram.
 2. Sunil Ram, Son of : Muneshwar Ram
- All Resident of Village: Sabaripuri Tola, P.S. Jalalpur, District: Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rekha Prasad, Adv
For the Opposite Party/s : Mr. A.Haque Sahara(App)
For the informant : Mr. Sachida Nand Rai, Adv

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 20-06-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323 and 302 of the Indian Penal Code.

The prosecution case is that the eleven FIR named accused persons including the petitioners and 4-5 unknown came to the house of the informant and started abusing and they tried to enter into the house of the father-in-law of the informant. On protest being made they assaulted the father-in-law of the informant with fists and slaps as a result he sustained injury. When the informant came to rescue she was also being

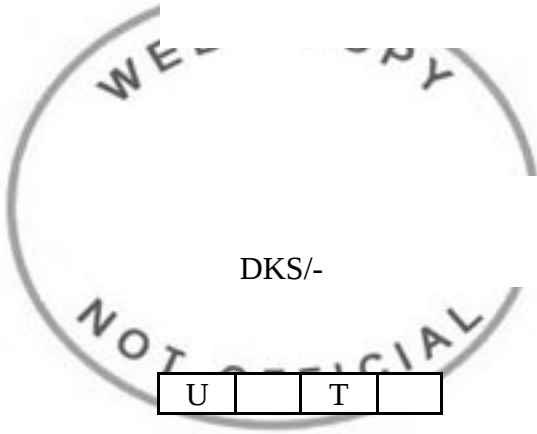
assaulted. The father-in-law of the informant was taken to hospital where he died during treatment.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general. The specific case in the FIR is that the father-in-law of the informant was taken to PHC but he was never been admitted in the PHC, though, the post-mortem report reflects superficial injuries bruise and abrasion but the cause of death has been ascertained as ventricular failure. It is further submitted that on conclusion of the investigation the petitioners were not sent up for trial but differing with the final form the cognizance has been taken.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the accusation was not found true on conclusion of the investigation and the accusation is assault with fists and slaps is omnibus and general, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Saran at Chapra in connection with

Jalalpur P.S. Case No. 63 of 2015, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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