

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27749 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -CHAUSA District- MADHEPURA

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1. Md. Akali Son of Md. Juddin
 2. Md. Majbul Son of Md. Juddin
 3. Md. Ajbul Son of Md. Juddi
 4. Md. Rahbar Son of Late Md. Muslim
 5. Md. Rafak alias Md. Rafakh Son of Late Md. Muslim All residents of Village Paina P.S. Chausa, District Madhepura.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party : Mr. Sri Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 18-10-2016

Heard learned counsel for the petitioners as well as learned Additional P.P. for the State and also heard learned counsel appearing for the informant.

Altogether ten persons are named in the first information report and it is alleged that petitioner nos.2 and 3 took the deceased from his house and subsequently, the informant learnt that deceased was mercilessly assaulted by the FIR named accused persons and having got the above stated information, informant reached near the place of occurrence where he found the deceased in unconscious state. Subsequently, he was taken to hospital but he died on way. No doubt, several injuries were found on the person

of the deceased but no one has seen the actual killing of the deceased and so far as petitioner nos.2 and 3 are concerned, even if it assumed that they took the deceased from his house then also, at best, it is a case of last seen. However, after investigation, police submitted final form in respect of five persons whereas submitted chargesheet against the petitioners.

Considering the aforesaid facts and circumstances as well as the submissions of the parties, let the above named petitioners be released 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 Sri Ashok Kumar-II, Judicial Magistrate, Ist Class, Uda Kishunganj, Madhepura in connection with Chausa P.S.Case No.33 of 2015.

(Hemant Kumar Srivastava, J)

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