

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7379 of 2016

Arising Out of PS.Case No. -70 Year- 2015 Thana -KATEYA District- MUZAFFARPUR

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Jai Mangal Upadhyay Son of Late Ambika Upadhyay Resident of Village - Jagdishpur Dharmo, P.S. Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nachiketa Jha

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-02-2016

Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

Petitioner is named along with four other persons and it is alleged that they assaulted the informant's father by means of iron rod and when the informant and his wife went to rescue the informant's father, the informant was assaulted by the petitioner and co-accused Pawan Kumar.

The post-mortem report of the deceased has been annexed as Annexure-3 to the petition and the post-mortem report reveals that altogether three injuries were found on the person of the deceased; out of which, two injuries are lacerated wounds whereas one injury is abrasion. The informant in this case sustained simple injury which is evident from Annexure-2 to the petition. Contention on behalf of the petitioner is that altogether

five persons are said to have assaulted the deceased by means of iron rod but only two injuries were found on the scalp of the deceased said to be caused by hard and blunt substance and it is not specific who caused the aforesaid injuries.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking into note of this fact that investigation against the petitioner has already been completed, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur in connection with Kathaiya P.S. Case No. 70/15.

Dilip/-

(Hemant Kumar Srivastava, J)

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