

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10665 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -KARAKAT District- SASARAM (ROHTAS)

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1. Dharmendra Singh Son of Kamta Singh
 2. Birendra Singh Son of Kamta Singh. Both residents of Village - Kanchanpur (Amartha), P.S. Karakat, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners are languishing in judicial custody since 07.12.2016 in connection with Karakat P.S. Case No. 171 of 2016 registered for the offence punishable under Sections 341, 342, 323, 504, 506 and 307 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was also added.

The prosecution case, as lodged by the informant, is that there was a Tilak ceremony of the younger brother of one Manoj Kumar Singh in which his brother, Rajeshwar Singh, the deceased was also invited, but since all the food got finished, there was some verbal altercation between both the parties and



thereafter the said deceased brother of the informant returned home, but later on, the petitioners along with one Manoj Kumar Singh and seven other accused persons armed with lathi-danda, came to his house and Manoj Kumar Singh gave lathi blow on the head of the deceased due to which he got seriously injured. Later on, he succumbed to the injuries.

It has been submitted by the learned counsel for the petitioners that they are innocent, the postmortem report specifies only one injury, which is not attributable to the petitioner and they were members of the mob. It has further been submitted that petitioners have no criminal antecedent and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

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

Considering the facts and circumstances and the materials on record, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Karakat P.S. Case No. 171



of 2016, subject to the condition that both the bailors of the petitioners must be close relative and that the petitioners will appear before the police/ Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J.)

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