

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21003 of 2017

Arising Out of PS.Case No. -426 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

- =====
1. Basudeo Giri, Son of Late Shiv Narain Giri.
 2. Dhrup Giri, Son of Naresh Giri.
- Both resident of Village Jaitpur Mathia, P.S. Udwanthnagar, District-
Bhojpur.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioners : Mr.
For the State : Mr.
For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioners and the

learned A.P.P. for the State as also the learned counsel for the

informant.

The petitioners seek bail in connection with

Udwanthnagar P.S. Case No.426 of 2016 registered under Sections

147, 148, 149 and 302 of the Indian Penal Code besides Section

27 of the Arms Act.

The accusation is that when Dashrath Giri, the husband

of the informant, reached near the canal bridge, then 15 persons,

named in the F.I.R., including the petitioners reached there and,

thereafter, on the order of the petitioner no.1, other accused



persons including the petitioner no.2 having variously armed like lathi, iron rod, knife, khanti etc. started to cause injury to the husband of the informant, as a result of which the husband of the informant fell down on the ground and died on the spot. At that time, the accused persons also made firing to create the fear and moved towards the south direction.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the petitioner no.1 is only an order giver and so far as the petitioner no.2 is concerned, while allegation against him has been made in the F.I.R. to cause injury to the deceased, the husband of the informant, but no specific overt act has been attributed to him. Further submission is that in the post-mortem examination of the deceased, only six injuries were found on his person. The petitioner no.1 is in custody since 14.12.2016 whereas the petitioner no.2 is in custody since 24.01.2017 and, after investigation, the chargesheet has already been submitted against the petitioners.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the Chief Judicial Magistrate, Bhojpur, Ara, in connection with
Udwantnagar P.S. Case No.426 of 2016.

(Rajendra Kumar Mishra, J)

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