

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29206 of 2017

Arising Out of PS.Case No. -86 Year- 2015 Thana -SRI NAGAR District- MADHEPURA

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1. Biran Das @ Bidan Das Son of late Tanuk Das
2. Anil Das Son of Biran Das @ Bidan Das
3. Pramod Das Son of Sobhan Das All are resident of Village- Mangarwara,
Rain Tola, P.S. Sri Nagar, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mrs. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-07-2017

Heard both sides.

The petitioners seek bail in Sri Nagar P.S. case No. 86 of 2015 under Section 302, 307 and other Sections of the Indian Penal Code.

The informant, Fulkumari Devi, named 14 persons including these three petitioners, namely, Biran Das @ Bidan Das, Anil Das and Pramod Das and alleged that Naresh Das assaulted her husband with Farsa on his head. Her husband got injuries and fell down on the ground. Pradip Kumar assaulted her son with Dabiya on his head and abdomen and her son also fell down. Thereafter, all the accused persons assaulted family members of the informant.



The learned counsel for the petitioners submits that no specific allegation of assault is made against the petitioners. Specific allegation of assault is made against Naresh Das and Pradip Kumar. Naresh Das and Pradip Kumar have already been granted bail vide order passed in Cr. Misc. No. 28759 of 2016 by a coordinate bench of this court. The case of petitioners stands on better footing. Co-accused Chouthi Das has also been enlarged on bail vide order dated 29.06.2016 passed in Cr. Misc. No. 19088 of 2016.

Considering the facts that there is no specific allegation of assault against the petitioners and Naresh Das and Pradip Kumar who are alleged to have assaulted the deceased, Bindi Das, and son of the informant with Farsa and Dabiya and they have already been enlarged on bail, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in Sri Nagar P.S. Case No. 86 of 2015.

(Prabhat Kumar Jha, J)

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