

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1979 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Nawal Prasad,
2. Shailendra Kumar, Both Sons of Siya Sharan Prasad, Resident of
Village/Mohalla- Rangila Bigha, P.S.- Nalanda, District- Nalanda.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 11-09-2017 Submission of the learned counsel for the appellants is that, as a matter of fact, vide order dated 22.08.2017 “ a direction was given by this Court to the court below to examine the post mortem report and find out as to how many injuries are on the persons of the two deceased, as the post mortem report is not legible, and after examination, if he finds only one injury on the person of the two deceased whereas there is allegation of firing against five accused persons, and if it is true that the two deceased suffered only one gun short injury, he will release the appellants on bail to his satisfaction, otherwise pass an appropriate order.



With the aforesaid observation the appeal was disposed of.”

But inadvertently the aforesaid observation could not be typed in the last but one paragraph of the order dated 22.08.2017, and order passed in some other appeal for pre arrest bail was typed.

The learned counsel for the appellants also submitted that two deceased suffered only one injury each though there is allegation of firing against five accused persons including appellants.

Heard learned Special P.P.

On perusal of the appeal, it appears that it is for regular bail and it appears that there is allegation of firing against five accused persons causing the death of the two deceased. Where the submission is that only one gun shot injury each has been found on the person of two deceased.

As such, accordingly, let the observation’ made in paragraph 1 of this order be read in place of the averments made in the last but one paragraph of the order dated 22.08.2017.

The order dated 22.08.2017 is modified to the extent



stated above.

Office is directed to communicate this order to the
concerned court below.

(Vinod Kumar Sinha, J)

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