

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2244 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -KUTUMBA District- AURANGABAD

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1.Bifni Devi,wife of Bali Rajwar @ Ram Bali Rajwar
2. Babita Kumari, daughter of Bali Rajwar
3.Birendra Rajwar, son of Bali Rajwar, all resident of village –
Chhakandbar, P.S. Kutumba, district-Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-02-2017 Heard leaned counsel for the petitioners and the State.

The petitioners seek bail in Kutumba P.S. Case No.
77/2016 instituted for the offence under sections 302 of Indian
Penal Code.

It is submitted that there is general and omnibus allegation
against the petitioners. It has further been submitted that perusal
of the post mortem report, goes to show that the injuries were
caused by hard blunt substance and cause of death is shock and
CR failure.

In the written report, it is alleged that that the petitioners
and other co-accused persons assaulted the wife of the informant
with lathi, danda and iron rod etc. It has also been mentioned in
the written report that in the mid-night due to excessive bleeding,



she died. As such, there is no specific allegation of overt act against any of the petitioners. Likewise, similar statement was given by the witnesses in the case diary to this effect that accused persons assaulted the petitioners.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10, 000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Kutumba P.S. Case No. 77 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioners.

(Sanjay Priya, J)

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