

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12968 of 2017

Arising Out of PS.Case No. -450 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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1. Diwakar Kumar, S/o Jai Prakash Mandal
2. Sanni Kumar, S/o Manoj Mandal
Both are r/o village- Kodwar, P.S. Kahalgaon (Ghogha), District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate.

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-04-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Kahalgaon (Ghogha) P.S. Case No. 450 of 2016 instituted for the offence under Sections 147, 149, 448, 342, 323, 379, 504 and 506 of the Indian Penal Code.

There is allegation in the written report that the petitioners with other accused persons assaulted son of the informant. It is further alleged that accused also assaulted father of the informant who died after two days in hospital.

Case diary has been received.

The learned A.P.P. has pointed out the statement of the



deceased Kalicharan Mandal recorded in paragraph-5 of the case diary wherein he has stated that Jai Prakash Mandal has assaulted him with butt of the rifle whereas the petitioners and other accused persons have assaulted with fists and slaps.

The learned counsel for the petitioner has pointed out about post mortem report of the deceased wherein doctor has stated that the death appeared natural due to diseases in lungs and heart. The supplementary injury report of Pankaj Kumar is also available in the case diary wherein doctor has opined the injury to be simple in nature.

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, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No. 450 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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