

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1556 of 2017**

Arising Out of PS.Case No. -181 Year- 2015 Thana -DIGHWARA District- SARAN

=====

1. Ramesh Rai, S/o Chhathu Rai @ Ray,  
2. Prakash Manjhi, S/o Late Bideshi Manjhi, Both residents of Majhauwan  
(Malkhachak), P.S.- Dighwara, District- Saran at Chapra.

.... .... Appellants

Versus

The State of Bihar.

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Nawal Kishore Singh, Advocate

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

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      10-07-2017                      The appellants seek bail in connection with Dighwara  
  
P.S. Case No. 181/15 registered for offences punishable under  
  
sections 302/34 of Indian Penal Penal and 3 (ii) (v) of SC/ST Act.

Allegation against the appellants is that younger  
  
brother of the informant was going to drink liquor to these  
  
appellants where both the appellants had brutally assaulted the  
  
brother of the informant with fists and legs and dropped him in the  
  
bank of river, during the course of treatment brother of the  
  
informant died.

Learned counsel for the appellants submitted that they  
  
are innocent, they have not committed such offence. Further it also  
  
appears that in Post-Mortem report has not found any such  
  
external or internal injury on the person of deceased.

Heard learned Special P.P. also. She also could not



controvert the above submission.

Having heard both sides and considering the aforementioned facts and circumstances, this appeal is allowed, let appellant surrender before the Court of Special Judge within a period of four weeks and on his so surrendering the Court below will release him on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the Court of 1<sup>st</sup> Additional Sessions Judge/Special Court, Saran at Chapra in connection with Dighwara P.S. Case No. 181/15, subject to the following conditions:-

(i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the Court and on the event of failure on his part to appear before the Court below on two consecutive dates, without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Vinod Kumar Sinha, J)**

veena/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

