

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18332 of 2017

Arising Out of PS.Case No. -243 Year- 2010 Thana -BHORE District- GOPALGANJ

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1. Ramdeni Bhagat son of Late Tilak Bhagat
 2. Bade Bhagat son of Sheobodh Bhagat Both resident of village - Mal Chaur, P.S. - Bhorey, District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate.

For the Opposite Party/s : Smt. Sharda Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 15-06-2017 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in connection with Sessions Trial No. 312 of 2012 arising out of Bhorey P. S. Case No. 243 of 2010 registered for the offences under Sections 147, 148, 149, 302, 323, 324 and 504 of the Indian Penal Code.

Accused persons including the petitioners are said to have committed murder of the father of the informant by assaulting by means of *garasa* and *lathi*.

It is submitted by learned counsel for the petitioners that the petitioners were not sent up for trial by the police rather were summoned to face trial under Section 319 of the Code of Criminal Procedure. The allegation levelled against the



petitioners is not specific rather general and omnibus. The deceased is said to have sustained abrasion injury on his elbow, forearm and left side of the forehead. The doctor conducting autopsy of the dead body of the deceased has found the skull bones and meninges intact and did not find any hemorrhage in the skull even then the cause of the death has been opined by him as hemorrhage and shock.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Additional District and Sessions Judge- V , Gopalganj in connection with Sessions Trial No. 312 of 2012 arising out of Bhorey P. S. Case No. 243 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prakash Chandra Jaiswal, J)

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