

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5608 of 2018**

Arising Out of PS.Case No. -142 Year- 2017 Thana -SAHIYARA District- SITAMARHI

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1. Ram Babu Thakur.  
2. Ganesh Thakur, Both S/o Daroga Thakur, Resident of Village-Matiyar Kala, P.S.-Sahiyara, District-Sitamarhi

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      02-02-2018                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioners have been in custody since 13.10.2017 in connection with Sahiyara P.S. Case No. 142/2017 registered for the offences punishable under Sections 147/148/149/302/341/323/504/506/ of the Indian Penal Code.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioner rather the allegation is against all the accused persons of having assaulted the deceased Ram Chandra Rai. It is further submitted that the post-mortem report indicates only a single injury whereas there are allegation on various persons of assaulting the deceased.

Considering the contradiction in the post-mortem report which belies the prosecution story, let the petitioners [(1)Ram Babu Thakur and (2) Ganesh Thakur], be released on bail



on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-5, Sitamarhi, in connection with Sahiyara P.S. Case No. 142/2017.

**(Anjana Mishra, J)**

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