

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56046 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -PATORI District- SAMASTIPUR

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Anjani Das S/o Ram Swarath Das, R/o Village- Bhauwa, P.S.- Patory,
District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Adv
Ms. Rashmi Bharti, Adv

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Patory P.S. Case No. 43 of 2017 dated 29.01.2017 instituted for the offences under Sections 341, 323, 302, 504, 427, 34 of the Indian Penal Code.

The wife, son and daughter-in-law of the informant were brutally assaulted by around 11-12 persons of the village including the petitioner. A land dispute existed between co-villager Chotu Prasad and the informant for which the occurrence is said to have been taken place.

Mr. Suraj Narain Prasad Sinha, learned senior counsel for the petitioner has submitted that though the petitioner has been named in the F.I.R as one of the persons who participated



in the occurrence, but there is no specific overt act attributed to him. The wife of the informant succumbed to the injuries suffered by her. The postmortem report reveals two injuries on the person of the deceased: one of which is a bruise and the other injury, the fatal one, on the parietal region of the deceased. It has further been submitted that in the further statement, the informant has attributed the fatal assault to co-accused Pankaj Das who is said to have assaulted the deceased by the handle of a hand pump.

Considering the omnibus nature of assault by the petitioner and others and the period of custody which is from 24.08.2017, this Court is inclined to grant bail to him. While saying so, this Court has also taken note of the fact that petitioner has no criminal antecedent.

For the facts stated above, the petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Patori P.S. Case No. 43 of 2017.

(Ashutosh Kumar, J)

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