

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3924 of 2019

Arising Out of PS. Case No.-100 Year-2018 Thana- BANGAWON District- Saharsa

1. DILKHUSH KUMAR AND ANR Pawan Khan Village - Bangaon
2. Deepak Kumar @ Deepak Kumar Suman Kumar Khan @ Suman Khan village - Bangaon

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4999 of 2019

Arising Out of PS. Case No.-100 Year-2018 Thana- BANGAWON District- Saharsa

Pawan Khan Jagar Nath Khan Village - Bangaon

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Adv. Mr. Ramakant Sharma, Adv.
For the Informant	:	Mr. Sanjay Kumar Jha, Adv. Mr. Rana Pratap Singh, Adv. Mr. Satyaveer, Adv.
For the Opposite Party/s	:	Mr. Bharat Lal, A.P.P

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

3 29-03-2019 Both the above stated petitions arisen out of Bangaon P.S. Case No. 100 of 2018 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 302, 120(B) of the Indian Penal Code and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners and learned



A.P.P. for the State.

The accusation against the petitioners is that they along with other F.I.R named accused, committed the murder of the deceased by assaulting him in front of their shop.

Learned counsel appearing for the petitioners submits that prior to institution of Bangaon P. S. Case No. 100 of 2018, the petitioner no. 1 of Cr. Misc. No. 3924 of 2019, namely, Dilkhush Kumar lodged Bangaon P. S. Case no. 99 of 2018 to this effect that deceased as well as his other companions had entered into his shop and demanded extortion money and while they were fleeing after committing loot in his shop, they were caught by the local people and subsequently, they were handed over to the police.

Para-3 of the case diary goes to show that the investigating officer has incorporated in the aforesaid paragraph that while he was on mobile duty, he got information that three persons had entered into the office of Ryan Lab Service and the aforesaid persons were caught by the local people while they were fleeing with looted money from the above stated office. The investigating officer further mentioned at Para 3 of case diary that he went there and found three persons lying in injured condition. It is further mentioned that petitioner no. 1, namely,



Dilkhus Kumar gave fardbeyan to the investigating officer on the basis of which Bangaon P.S. Case No. 99 of 2018 was registered.

Learned counsel appearing for the informant submits that in course of investigation, the witnesses claimed that it was petitioner no. 1 and others, who `assaulted the deceased and others.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, 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 Chief Judicial Magistrate, Saharsa in connection with Bangaon P.S. Case No. 100 of 2018.

(Hemant Kumar Srivastava, J)

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