

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14927 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- KESARIA District- East Champaran

1. Vikash Kumar Son of Vinod Sah
 2. Vishal Kumar Son of Vinod Sah
- Both are R/o village- Sarang Pur, P.S.- Keseriya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 21-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are languishing in custody for the offences punishable under Sections 147/148/149/307/302 of the Indian Penal Code.

According to FIR, both the petitioners caused injury with dagger to the informant. When brother of the informant came for his rescue, he also sustained injury at the hands of the petitioners. Later on the petitioners gave dagger blow to the father of the informant as a result whereof he died.

Submission is that there is case and counter case.



The doctor found sharp cutting wound at the left arm of the informant and two incised wound one at the left forearm and another at left temporal region of the wife of the informant and one incised wound at the palm of Barun Kumar, the brother of the informant, and a penetrating wound in the right thoracic region of the deceased.

Contention is that the allegation that two persons caused injury with dagger to the deceased has not been corroborated by medical evidence and it is difficult to attribute as to which of the two petitioners caused the single blow to the deceased. The petitioners are in custody since 23.05.2018. they are ready to cooperate with the trial.

Considering the aforesaid facts, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Keshariya P.S. Case No.140 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the trial



of the case, failing which the court below shall be at liberty to
cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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