

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55748 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- MUFFASIL District- Aurangabad

1. MD. RABANI Son of Late Abdul Gaffar
2. Md. Soldan Son of Late Ibrar
3. Md. Ansar Son of Md. Mujeem
4. Pappu @ Md. Pappu Son of Md. Rabani
All residents of Village-Wajidpur, Police Station-Muffasil, District-
Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Lakshmi Kant Sharma
		Mr. Santosh Kumar Pandey
For the Opposite Party/s	:	Mr.Ramchandra Sahnii
		Mr. Meena Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-09-2019 Heard Mr. Ramakant Sharma, learned senior counsel

for the petitioners, learned counsel for the informant and learned

A.P.P..

The petitioners apprehend their arrest in Aurangabad

Muffasil P.S. Case No.111 of 2019 registered under Sections

302, 34 of the Indian Penal Code.

The informant, Md. Sabbir, alleged that in the

morning children of two families quarreled with each other, on

such, Rabiya Khatoon, mother of the informant went to pacify

the dispute but all the four petitioners are alleged to have

assaulted the mother of the informant and mother of the



informant fell down after becoming unconscious. Later on, she died.

The learned counsel for the petitioners submits that all the four petitioners are alleged to have assaulted the mother of the informant but no weapon is used. From perusal of post-mortem report(Annexure-2), it would appear that there is no injury either external or internal was found on the body of the deceased. The deceased died due to cardio pulmonary arrest and there was no other reason assigned for the death of the deceased. Deceased had come on the place of occurrence and she died her natural death.

Taking into consideration the fact that of course the petitioners are alleged to have assaulted the mother of the informant, an old lady, but from perusal of the post-mortem report, it appears that deceased neither received any external nor internal injury and doctor found the cause of death due to cardio pulmonary arrest and no sign of assault is found on the body of the deceased, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate,
Aurangabad in connection with Aurangabad Muffasil P.S. Case
No.111 of 2019, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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