

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74514 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- KOILWAR District- Bhojpur

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1. Chandeshwar Rai, Son of Late Rameshwar.
 2. Dhanjeet Kumar, Son of Chandeshwar Rai.
 3. Shiv Shankar Kumar, Son of Chandeshwar Rai, All are Resident of Village-Sakkadi, P.S. Koilwar, District- Bhojpur. Petitioners.

Versus

The State of Bihar. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners has filed certified copy
of the impugned order in Court, which is kept on record.

The petitioners seek bail in Koilwar P.S. Case No.102 of
2018 registered under Section 302 of the Indian Penal Code.

The petitioners along with Ful Kumari Devi are said to
have assaulted the father of the informant by means of lathi,
who rushed in rescue of the informant. Sustaining injury his
father fell down and subsequently succumbed to injury.

It is submitted by learned counsel for the petitioners that
no such occurrence as alleged ever took place. The petitioners
have committed no offence and have no concern with the
aforesaid occurrence. Petitioners happen to be own brother and



nephew of the deceased and there is a land dispute between them and due to aforesaid grudge, the petitioners have been falsely implicated in this by the informant on death of his father by falling on the ground. The doctor has found only one injury i.e. ecchymosis on the head of the deceased and assailant of the said injury is not ascertained. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Similarly situated co-accused, namely, Ful Kumari Devi has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 09.08.2018 passed in Cr. Misc. No.48707 of 2018. The petitioner has been languishing in custody since 05.07.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged 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, Ara, Bhojpur in connection with Koilwar P.S. Case No.102 of 2018.

(Prakash Chandra Jaiswal, J)

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