

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71310 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- SASARAM MUFFASIL District- Rohtas

1. Jay Prakash Thakur and Anr
2. Om Prakash Thakur, Both Sons of Vijay Thakur, Resident of Village- Muradabad, P.S.- Sasaram Muffasil, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Smt. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 17-01-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody in connection with Sasaram (Muffasil) P.S. Case No. 102 of 2018 registered for the offence punishable under Section 302, 34 of the Indian Penal Code.

Learned counsel for the petitioners with reference to the postmortem report would submit that postmortem report does not indicate any kind of external injury on the person of deceased caused by the Arms or any lethal weapon. He further submits that from perusal of the F.I.R. itself indicates that no any lethal weapon was used in the instant case. Learned counsel for the petitioners has placed reliance on the mark-sheet of the



petitioners which indicates that they are serious students.

Learned counsel appearing on behalf of the informant submits that on the trivial matter scuffle took place and these two petitioners have badly assaulted the informant and his father due to which father of the informant died.

Considering the fact that petitioners have no criminal antecedent, and postmortem report does not indicate assault by any lethal weapon and the petitioners are students, the Court is inclined to enlarge the petitioners on bail, let the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned C.J.M. Sasaram, Rohtas in connection with Sasaram (Muffasil) P.S. Case No. 102 of 2018, subject to the conditions that one of the bailors of each petitioner shall be the teacher of government school/ government college.

(Anil Kumar Upadhyay, J)

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