

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31287 of 2020

Arising Out of PS. Case No.-115 Year-2020 Thana- GHORASAHAN District- East
Champaran

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1. ANIL KUMAR MALI @ ANIL MALI Son of Kailash Dhankar Resident of Village- Vishunpur Damar Bajar, P.S.- Ghorasahan (Jharokhar), District- East Champaran.
 2. Sonu Dhankar Son of Moti Dhankar Resident of Village- Vishunpur Damar Bajar, P.S.- Ghorasahan (Jharokhar), District- East Champaran.
 3. Dilip Dhankar Son of Jogi Sarkar Resident of Village- Vishunpur Damar Bajar, P.S.- Ghorasahan (Jharokhar), District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case for the offence
registered under Section 302/34 of the Indian Penal Code.



Prosecution case in short, is that in the backdrop of a petty feud, the dispute arose and in consequence thereof, the accused persons assaulted the informant's husband with a set of punch, kick, fist and slaps and threw him on the ground. It is further alleged that the informant's husband was being taken to hospital for treatment but in the way, he succumbed to the injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are in custody since 31-03-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against 13 persons including the petitioners. No weapons is said to have been used in course of the occurrence. It is alleged that the assault was made by fist, slaps and legs. There was no intention to commit murder of the deceased.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of
learned Sub Divisional Judicial Magistrate, Sikrahana at Dhaka,
East Champaran in connection with Ghorasahan (Jharokhar)
P.S. Case No. 115 of 2020.

(Sudhir Singh, J)

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