

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9298 of 2022

Arising Out of PS. Case No.-325 Year-2021 Thana- WARISNAGAR District- Samastipur

1. MUNESHWAR RAI Son of Late Ram Lakhan Rai Resident of Village-Moglanichak Kharaj, P.S.- Warish Nagar, District- Samastipur.
2. Sharvan Rai @ Sharvan Kumar Son of Ram Adhar Rai Resident of Village-Moglanichak Kharaj, P.S.- Warish Nagar, District- Samastipur.
3. Baidyanath Rai Son of Late Ram Lakhan Rai Resident of Village-Moglanichak Kharaj, P.S.- Warish Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr.Adv. Mr.Vijay Anand, Adv.
For the Opposite Party/s	:	Mr.Dinesh Singh,APP Ms.S. Suman,Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-05-2022 Heard learned counsel for the parties.

Petitioners pray for bail in a case registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code.

As per the F.I.R. twelve named persons, including petitioners, brutally assaulted son of the informant, as a result of which, he died on spot.

It is submitted on behalf of petitioners that there is general and omnibus allegation against all the accused persons and no specific overt act has been alleged against petitioners. It is further submitted that in the post-mortem report, the doctor



has found blood from right frontal region, size of lacerated wound 1 x ¼ x scalp deep, multiple black spot over both leg, palm, forearm, buttock and thorax region, but cause of death of deceased has been kept reserved. Petitioners claim clean antecedent and they are in custody since 03.12.2021. Investigation is complete.

However, learned counsel for the informant vehemently opposed the prayer of bail of petitioners and submitted that petitioners and others have brutally assaulted son of informant due to which, he died on the spot itself.

Considering the nature of accusation, post-mortem report, period of custody and clean antecedent of petitioners, their prayer for bail is allowed. Let the above named petitioners 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 C.J.M., Samastipur in connection with Waris Nagar P.S. Case No. 325 of 2021.

(Prabhat Kumar Singh, J)

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