

Sanjay Roy and anr Vs. the State of Bihar

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Court : Patna

Decided On : May-24-2012

Appellant : Sanjay Roy and anr

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous
No.44460 of 2011

===== 1. Sanjay
Roy 2. Santosh Roy Both sons of Gariban Roy, resident of Village - Chakantoli,
P.S. - Kalyanpur, District - Samastipur. Petitioner/s Versus The State of
Bihar Opposite Party/s
=====

Appearance : For the Petitioner/s : Mr. Uday Bhanu Roy, Advocate For the
Opposite Party/s : Mr. Sunil Kumar Pandey, APP

===== CORAM:
HONOURABLE MR. JUSTICE JYOTI SARAN ORAL ORDER (Per:
HONOURABLE MR. JUSTICE JYOTI SARAN

24. 01-2012 Heard learned counsel appearing on behalf of the parties. The petitioners are in custody in connection with Kalyanpur P.S. Case No.92 of 2011 for the offences punishable under sections 147, 148, 323, 324, 307, 507, 379, 448 and 302 of the Indian Penal Code. The FIR placed at Annexure-1 charges the petitioners among other accused persons of assaulting the brother of the informant

who subsequently succumbed to the injuries. The petitioners have also been charged with assaulting the informant by lathi. Learned counsel for the petitioners with reference to the post- mortem report placed at Annexure-2 of this application submits that whereas the accused persons have been charged with collectively assaulting the brother of the informant but the post-mortem report shows a single fracture on the left side of the scalp which has been attributed as a cause of death. He further with reference to the assault made on the informant submits that the injury has been found simple in Patna High Court Cr.Misc. No.44460 of 2011 (2) dt.24-01-2012 2 nature and in support thereof learned counsel has filed a supplementary affidavit. Regard being had to the submission of learned counsel, let the petitioners, namely, Sanjay Roy and Santosh Roy be released on bail upon each of them individually furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No.92 of 2011. (Jyoti Saran, J.) SKPathak/-

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