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Surendra Singh and anr. Vs. the State of Bihar

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Court : Patna

Decided On : May-19-2012

Appellant : Surendra Singh and anr.

Respondent : The State of Bihar

Judgement :
IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Appeal (DB) No 1162 of 2011 Gajendra Singh Versus The State Of Bihar WITH Criminal Appeal (DB) No 1143 o

1. Surendra Singh 2 Rabindra Singh Versus The State Of Bihar ----------

19. 01.2012 These appeals will be heard alongwith Cr Appeals No 1141 and 1050 of 2011 in which records have already been called for and received as they arise from the same judgment. Informant has entered appearance. Heard Shri Rana Pratap Singh, learned Senior Counsel in support of appellant Surendra Singh. It is stated that as per the deposition of the informant in Court, he had assaulted with a sword on the head of the deceased Santosh Singh. As per post mortem report, the injury on the head is only bone deep. So far as appellant Rabindra Singh is concerned, he is alleged to have assaulted the deceased Santosh Singh with a knife on his panjra but there is no injury there. So far as appellant Gajendra Singh is concerned, in the fardbayan, it is not specifically mentioned as to what injury he caused but while deposing in the Court, it is specifically stated that he assaulted the deceased Santosh Singh with spear from the back breaking his backbone which spear pierced to the front. The doctor, who conducted the post mortem

examination, was clearly of the view that the injury found in the back was as a result of injury from the front and not as alleged in 2 Court. Be that as it may, the appellants abovenamed are directed to be released on bail on each of them furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Fast Track Court No II, Rohtas at Sasaram in Sessions Trial No 218 of 2008, GR No 1271 of 2007 arising out of Dehri (Indrapuri) Police Station Case No 222 of 2007. M.E.H./ (Navaniti Prasad Singh) (Ashwani Kumar Singh)

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