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**(2017) 08 JH CK 0005**  
**In the Jharkhand High Court**  
**Case No : 5231 of 2017**

Mahesh Narain Singh

APPELLANT

Vs

The State of Jharkhand and Ors.

RESPONDENT

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**Date of Decision :** 02-08-2017

**Acts Referred:**

<a href=1767>Indian Penal Code, 1860</a>, <a href=1767-302>Section 302</a>,  
<a href=1767-34>Section 34</a> - Punishment for murder - Acts done by several  
persons in furtherance of common intention

**Citation :** (2017) 08 JH CK 0005

**Hon'ble Judges :** Shree Chandrashekhar

**Bench :** SINGLE BENCH

**Advocate :** Vineet Kumar Vashistha,?Abhinesh Kumar

**Final Decision :** Allowed

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## Judgement

1. Case-diary has been received and a counter-affidavit has been filed.
2. Heard the learned counsels appearing for the parties and perused the documents on record.
3. The petitioner has been made accused in Dhanbad P.S. Case No.167 of 2017, registered for offences punishable under sections 302/34 of the Indian Penal Code. In the incident which allegedly took place on 23.02.2017, a First Information Report has been lodged on 29.03.2017. It is stated that the victim was taken to Asrafi Hospital, Dhanbad, Durgapur Mission Hospital, P.M.C.H., Dhanbad, Railway Hospital and thereafter he was referred to Central Hospital, Patna from where he was again referred to Ford Hospital, Patna where he died on 02.03.2017. Order dated 27.05.2017 records that post-mortem examination over the dead body was not conducted.
4. The learned APP has opposed the prayer for grant of bail, stating that medical report dated 27.02.2017 issued from Eastern Central Railway shows that the deceased received sub-dural Hematoma on temporal parietal region.

5. Having regard to the facts and circumstances of the case, the petitioner, above-named, is 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 Chief Judicial Magistrate, Dhanbad in connection with Dhanbad P.S. Case No.167 of 2017, corresponding to G.R. No.1243 of 2017.

6. The instant application is allowed. Let a copy of the order be transmitted to the trial Court through "Fax".