

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47998 of 2014

Arising Out of PS.Case No. -164 Year- 2014 Thana -BHAGWANPUR
District- VAISHALI(HAJIPUR)

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Guddu Tiwari S/o Late Naga Tiwari Resident of village- Mahamadabad
Maricha Chowk, P.S.- Sarai, Distt.- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Adv.

For the Opposite Party/s : Mr. Ram Bechan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-04-2015

Heard both sides.

The petitioner seeks bail in Bhagwanpur P.S. Case No. 164/14, registered for the offences punishable under Sections 302, 120 B/34 of the Indian Penal Code.

The father of the deceased alleged that the petitioner took his son Rana Ajit Kumar Singh on his motorcycle in the morning. The informant got information that his son was lying by the side of the road and immediately thereafter he got information that police took his son to the hospital. The informant rushed and found dead body of his son. The informant suspected that the petitioner might have killed his son.

Learned counsel for the petitioner submitted that there is no material on record to show that the petitioner assaulted the deceased. During the course of investigation, the witnesses have stated that while the deceased was going on a motorcycle he fell down and got injury on

head and other parts of the body. Even the post-mortem report suggests that the injury was caused due to impact by hard & blunt object.

On the other hand, learned counsel for the informant as well as learned APP vehemently opposed the prayer for bail.

On perusal of the record, it appears that the informant is not an eye-witness of the occurrence. During the course of investigation, witnesses of the vicinity have stated that one pillion rider fell down from the motorcycle and the driver fled away saying that accident had taken place.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case no. 164/2014.

(Prabhat Kumar Jha, J.)

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