

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8048 of 2015

Arising Out of PS.Case No. -217 Year- 2014 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. BIRENDRA PARIT @ BIRENDRA PANDIT SON OF KAILASH PARIT @ KAILASH PANDIT	
2. KAILASH PARIT @ KAILASH PANDIT SON OF LATE HARIDWAR PARIT @ LATE HARIDWAR PANDIT, RESIDENT OF VILLAGE- JULHA TOLI, P.S. RAMNAGAR, DISTRICT- WET CHAMPARAN	
	 PETITIONER/S
VERSUS	
THE STATE OF BIHAR	 OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s	: Mr. Vibhakar Kumar, Adv.
For the Opposite Party/s	: Mr. Ashok Kr.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 30-04-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor.

Informant, as has been informed by his maternal brother Rajesh Pandit to approach his son Bipin Pandit who was doing gardening work hiring a house of Chandrashekhar Choubey, he along with others rushed and during midst thereof, they met with Krishna Pandit who had instructed them to proceed and further disclosed that he is to follow. As he had not came therefore he was again approached over which he said that they should come at 03:00 AM and then they will be handed over the dead body of his son. Then police was informed who had apprehended Krishna Pandit and at his instance, the dead body was recovered from the orchard of Sheo Marwari.

The case diary is up to 12.11.2014 and till then

none of the witnesses have claimed themselves to be an eye witness to occurrence. In the fardbeyan it has been disclosed that deceased was tenant of Chandrashekhar Choubey of Julaha Toli while from para-21, it is evident that witness Vidya Devi had disclosed that deceased was doing nursery work at her Darwaja. She had further disclosed that he had been electrocuted while was bathing. That happens to be the statement of one Rama Devi recorded under para-22. Para-51 is the postmortem report which also supports the same.

Accordingly, petitioners Birendra Parit @ Birendra Pandit , Kailash Parit @ Kailash Pandit each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each, to the satisfaction of learned SDJM, Bagha (West Champaran) in connection with Ramnagar P.S. Case No.217 of 2014 in the event of their arrest / surrender within four weeks in terms of condition so laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

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