

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30083 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -GARDANIBAGH District- PATNA

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1. Ramnath Sao, S/o. late Munni Sao,
 2. Mantu Kumar, S/o. Sri Ramnath Sao,
 3. Chanttu Kumar, S/o. Sri Ramnath Sao,
- All are residents of Mohall Old Jakkanpur, P.S. Jakkanpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate.

For the Opposite Party/s : Mr. Ambika Bhagat(Spl .A P.P.)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2015

The petitioners are apprehending their arrest in connection with Gardanibagh Police Station Case No. 171 of 2015 for the offences instituted under Sections 304 and 201/34 of the I.P.C. and Section 3(2)(v) of the SC/ST Act.

Heard learned counsel for the petitioners and learned counsel for the State.

Prosecution case, in short, is that on 16.05.2015 Ram Nath Sao called Ramjee Choudhary to drive his tractor then both leave with tractor for soil filling near the Indira Hospital. When Ramji Choudhary did not return then family members of his sasural went to Ram Nath Sao and asked whereabouts of Ramji Choudhary then tractor owner went to search Ramji in the ditch. With the help of District Administration both the dead bodies were brought out of the water and one dead body was identified as Ramji Choudhary and another was

Laxman Bind.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is further submitted that on perusal of the F.I.R. it would appear that it is a case of accident in which the death has taken place at best it can be a case of Section 304A of the Indian Penal Code.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners shall be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Gardanibag P.S. Case No. 171 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Mr. Manoj Kumar Vth, Judicial Magistrate, 1st Class, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Mkr./-

(Sudhir Singh, J.)

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