

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39888 of 2014

Arising Out of PS.Case No. -303 Year- 2013 Thana -BODHGAYA District- GAYA

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1. Amar Singh
2. Tirath Kumar Singh @ Tirath Singh Both Sons of Mahavir Singh
Resident of Village - Katorwa, Police Station - Bodh Gaya, District - Gaya

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bakshi S.R.P.Sinha, Sr. Advocate.
For the Opposite Party : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-05-2015 Heard both sides.

The two petitioners herein are named in the FIR vide Bodh Gaya P.S. case no. 303 of 2013 instituted under Sections 302/34 of the IPC and diverse provisions of the Scheduled Castes/ Scheduled Tribes (Prevention of atrocities) Act. Apprehending their arrest in connection therewith they have filed the present application.

The son of the informant was friend of the maternal nephew of the petitioners (who are brothers) and used to visit the restaurant operated by the petitioners. He received injuries while at the restaurant and subsequently died . The informant, therefore, suspected the hands of the petitioners in the commission of the

crime.

The contention of the petitioners is that due to blast of drum containing LPG gas the deceased received injury and was shifted to hospital where he died. There is nothing on record to solidify the suspicion of the informant. From the post mortem report it appears that the deceased had ligature mark around his neck. The cause of death was asphyxia.

In the light of the materials collected in course of investigation, I am not persuaded to privilege them with anticipatory bail. Prayer is refused.

(Kishore Kumar Mandal, J)

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