

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33093 of 2015

Arising Out of PS.Case No. -227 Year- 2014 Thana -BELA District- SITAMARHI

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Kameshwar Mandal S/o late Mahabir Mandal Resident of Village
Vishanpur P.S. Bela District Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ashok Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-10-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 302/34 of the Indian Penal Code.

The informant alleged that the petitioner and his
wife were strangulating the father of the informant but they fled
away after seeing the informant and other persons. It is submitted
that all the allegations are false and concocted. The petitioner has
falsely been implicated in the case on account of land dispute. The
petitioner is the next-door neighbour of the informant. The father
of the informant died due to cardiac arrest. The doctor did not find
any external or internal injury on the neck or other part of the body
of the deceased. The wife of the petitioner Pano Devi has been
enlarged on bail vide order passed in Cr. Misc. No. 8361/2015.

Considering the fact aforesaid and the fact that the

petitioner and his wife are alleged to have pressed the neck of the father of the informant but the doctor did not find any injury, either on the neck or any part of the body of the deceased, rather the doctor opined that the death was caused on account of cardiac arrest, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, 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, Sitamarhi in Bela P.S. Case No. 227 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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