

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43137 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -BISFI District- MADHUBANI
=====

1. Vikki Mishra @ Mithu Mishra @ Om Nath Mishra, S/o Laxman Mishra,
R/o Village- Chahuta, P.S.- Bisfi, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party
=====

with

Criminal Miscellaneous No.46659 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -BISFI District- MADHUBANI
=====

1. Abhisek Kumar Jha @ Deepak
2. Vikash Kumar Jha @ Vikki Jha Both sons of Sri Narendra Nath Jha @
Biran Jha, resident of Village- Chahuta, P.S.- Bisfi, District Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party
=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 02-11-2015 Heard learned counsels for the petitioners and learned
Additional P.P. for the State in both the cases.

The petitioners pray for anticipatory bail in a case under
Sections 302/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners
that as per the Post Mortem Report death had taken place due to
excessive intake of alcohol causing failure of central nervous
system and coma, which ultimately resulted into death. It is further
submitted that even in the FIR the allegation is only assault by fist

and slaps and the Post Mortem Report merely talks of minor bruise over occipital region. It is also submitted that the petitioners do not have any prior criminal history.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners, namely, (1) Vikki Mishra @ Mithu Mishra @ Om Nath Mishra, (2) Abhisek Kumar Jha @ Deepak & (3) Vikash Kumar Jha @ Vikki Jha, in the event of their surrender/arrest within a period of four weeks from today shall be released on anticipatory bail in connection with Bisfi P.S.Case No. 49 of 2015 on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Shashi Bhushan Kumar, Judicial Magistrate, 1st Class, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

spal/-

U			
---	--	--	--