

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26433 of 2015

Arising Out of PS.Case No. -438 Year- 2014 Thana –NARPATGANJ(Basmatiya) District-
ARRARIA

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Sobha Risideo son of Panch Lal Risideo, resident of village-Basmatiya,
Police Station-Narpatganj, District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Shailendra Kumar No.2 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-11-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Section 302/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with
another accused brutally assaulted husband of the informant, as a
result of which he died.

It has been submitted on behalf of the petitioner that he
has got no criminal antecedent. He is in custody since 2.11.2014.
Chargesheet has been submitted in the present case. There is no
allegation of tampering of evidence against the petitioner. As per
prosecution case, the deceased is said to have been physically
assaulted by the petitioner and the co-accused. From perusal of
the post mortem report it appears that there is no external injury on
the body and the cause of death could not be ascertained. Viscera
report is said to have been received in a sealed cover, same is
opened. From perusal of the viscera report it appears that no
poison like substance is found.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Shri Sanjay Singh, Judicial Magistrate, Ist Class, Araria, in connection with Narpatganj (Basmatiya) P.S. Case no. 438 of 2014.

Let viscera report be returned to the office of the Director, Forensic Science Laboratory, Patna.

(Sudhir Singh, J)

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