

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37673 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -GAYA GRP CASE District- GAYA

- =====
1. Baleshwar Sharma S/o Late Shiv Narayan Mistri
 2. Jitendra Sharma S/o Baleshwar Sharma Resident of village - Bagdiha,
P.S. Guraru, District – Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 05-11-2015 Heard learned counsel for the petitioners, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

The dead body of the deceased was found on railway
track. The post mortem report of the deceased reveals that several
injuries were found on his person and the doctor opined that cause
of death of the deceased was of that injuries which had been
caused due to rail accident.

The petitioners along with others have been made
accused on the ground that prior to the alleged occurrence, one



Ranjay Yadav and Lalan Yadav got executed sale deeds from the deceased in respect of his land and petitioners had played an important role in execution of the aforesaid sale deeds. Furthermore, in course of investigation, it came to light that prior to the alleged occurrence, deceased had given a Sanha disclosing his apprehension of danger to his life at the hands of petitioners and others. Furthermore, the investigation reveals that mother of the deceased and one co-villager claimed to have seen petitioners and several other persons taking wine in the company of the deceased prior to the alleged occurrence.

Learned counsel appearing for the petitioners submits that deceased was not residing with his father who happens to be informant of this case and as a matter of fact, deceased oftenly used to visit his house. It is further contended by him that deceased met an accident and taking advantage of aforesaid accident, the informant lodged this false case implicating the petitioners and others.

Learned counsel appearing for the informant opposed the prayer referring some paragraphs of the case diary.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand)

each with two sureties of the like amount each to the satisfaction
of Railway Judicial Magistrate, Gaya in connection with Gaya
G.R.P. Case No. 70 of 2014.

(Hemant Kumar Srivastava, J)

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