

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32055 of 2014

Arising Out of PS.Case No. -125 Year- 2014 Thana -TAJPUR District- SAMASTIPUR

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1. Ashok Kumar Bhagat @ Ashok Bhagat Son of Late Rajendra Bhagat
 2. Sanju Devi Wife of Ashok Kumar Bhagat
 3. Pankaj Kumar son of Ashok Kumar Bhagat
 4. Prabhat Kumar son of Ashok Kumar Bhagat, All Residents of village -
Thanachowk, Tajpur, Police Station - Tajpur, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan,
For the Informant : Mr. Anant Kumar Bhaskar
For the State : Mr. Renuka Ratnakar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 21-01-2015 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the informant.

The petitioners apprehend their arrest in connection
with Tajpur P.S. Case No. 125 of 2014 registered under Section
302/34 of the I.P.C.

The accusation is that mother of the informant asked
the petitioners to remove the vehicle from her house on which the
petitioners started quarrelling. In that course, the petitioners
dashed to the mother of the informant, who fell down on the earth
and she was rushed to the clinic of Dr. Javed for treatment where
she was declared dead.

Learned counsel appearing on behalf of the petitioners submits that in fact, the mother of the informant was a patient of heart disease and died due to sudden cardiac respiratory failure, but with ulterior motive, the informant lodged the present case with false allegation to implicate the petitioners due to family grudge and enmity. It is also submitted that it would appear from the photocopy of the postmortem report that Doctor has not found any external injury over the dead body of the mother of the informant and according to him, the cause of death is cardiac respiratory failure.

Having considered the facts and circumstances of the case, in the event of arrest or surrender before the Court below within four weeks from the date of receipt/production of the copy of this order, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Samastipur in connection with Tajpur P.S. Case No. 125 of 2014, subject to the conditions as laid down under Section 438(2) of Cr. P.C.

(Rajendra Kumar Mishra, J.)

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