

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44435 of 2014

Arising Out of PS.Case No. -96 Year- 2014 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Ramraj Bind Son of Baijnath Bind
2. Dharmraj Bind Son of Baijnath Bind BothR/o Village Buchha, P.S.
Bhagwanpur, District Kaimur at Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv
For the Opposite Party/s : Mr. Amit Kr. Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 20-04-2015 Heard learned counsel for the petitioners, learned
APP and learned counsel for the informant.

There happens to be allegation against accused,
Kaushalya Devi to have taken away the deceased, Ashok Bind
from his house to her place at 1:00 a.m. in between 21/22.05.2014
and since thereafter, Ashok Bind became traceless. His dead body
was recovered from a well on 24.05.2014.

For the aforesaid occurrence, a complaint petition
was filed on 18.06.2014. It has also been incorporated that police
was informed after seeing the injuries present over the dead body
of the deceased. However, as instructed by the police, they
cremated the dead body.

After going through the case diary, it appears that

none had claimed the deceased to be in company of these two petitioners. Furthermore, presence of ante-mortem injury over dead body of deceased has not been corroborated by the wife of deceased Dhanwati Devi examined under para-9 of the case diary. Furthermore, the informant in his further statement had disclosed that there was some sort of dispute on account of execution of gift by her father-in-law in favour of deceased regarding his share.

That being so, petitioners, Ramraj Bind and Dharmraj Bind, in the event of their arrest/surrender within four weeks, are directed to be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhagwanpur PS Case No. 96/2014, GR No.1212/2014, subject to the condition as laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J)

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