

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50139 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -BOCHHA District- MUZAFFARPUR

- =====
1. Kailash Ram S/o late Bishundeo Ram
 2. Gonaur Ram S/o Hit Lal Ram
 3. Ram Chandra Ram S/o Bochi Ram
 4. Bhutan Ram S/o late Bishundeo Ram All are residents of village - Bahlolpur, P.S. - Bochahan, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 07-12-2015 Learned counsel for the petitioners seeks permission to withdraw the application of Petitioner no. 3, Ram Chandra Ram, since during the pendency of this application he has been arrested.

Such permission is accorded.

Accordingly, the application of petitioner no.3, Ram Chandra Ram is dismissed as withdrawn.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bochahan P.S. Case No. 44 of 2014 registered under Sections 302/201 of the Indian Penal Code.

The allegation of informant, Ram Binay Ray is that



on 08.02.2014 in the morning, his brother-in-law Nand Kishore Ray moved from the house with Rs. 7000/- to renew his driving license, as he wanted to go to Delhi but he did not return till late night. Thereafter, search was made but no trace was found. On 07.02.2014, in the morning rumor spread in the village about lying a person in a bridge situated in Borewara where the informant went and found his brother Nand Kishore Ray is unconscious, who was rushed to S.K.M.C.H., Muzaffarpur for his treatment, but in that course, he died.

Learned counsel appearing on behalf of the petitioners submits that it would appears from the F.I.R. itself that on the basis of Ram Binay Ray, brother of the deceased, F.I.R. was lodged against unknown, when the deceased Nand Kishore Ray, brother of the informant was found unconscious and died in course of treatment, but due to ulterior motive, after 7 days i.e. on 21.02.2014 mother of the informant Jinsi Devi gave her statement to the effect that she had seen the petitioners taking liquor with the deceased.

Having considered the facts and circumstances of the case, let the above named petitioners, except petitioner no.3, Ram Chandra Ram, be released on bail, in the event of arrest or surrender before the learned Court below within a period of four

weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the J.M., 1st Class, Muzaffarpur in connection with Bochahan P.S. Case No. 44 of 2014, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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