

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39725 of 2015

Arising Out of PS.Case No. -101 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Baijnath Ram son of Madan Ram, resident of village- Palat, Police Station-
Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Section 302/34 of the Indian Penal Code.

Allegation is that due to uprooting of vegetable crops,
scuffle took place between the father of the informant and the
petitioner. Father of the informant being an old man failed to
tolerate and died due to cardiac arrest.

It has been submitted on behalf of the petitioner that he
has no criminal antecedent. There is no allegation of assault upon
the deceased. Deceased was an old man and due to scuffle he fell
down and died on account of heart failure. Petitioner has relied
upon post mortem examination report (Annexure-2) to the present
application. No offence under Section 302 I.P.C. is made out.

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, in the event of arrest or surrender in the

court below within a period of four weeks, 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 learned Sub-Divisional Judicial Magistrate, Sikarahana at Motihari, East Champaran in connection with Madhuban P.S. Case no. 101 of 2015 (G.R. Case no. 606 of 2015), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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