

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3170 of 2016

Arising Out of PS.Case No. -471 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

- =====
1. Mohan Ram, son of Subhag Ram
 2. Ganga Ram son of Mohan Ram, resident of Mohalla- Ambedkar Nagar, Police Station- Ara Town, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Smt. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-03-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offence punishable under section 302/34 of the I.P.C

Allegedly, the petitioners and co-accused brought the husband of the informant at his house and thereafter threw him from the roof resulting during treatment the husband of the informant died.

Submission is of false implication and that during investigation it has come that the husband of the informant jumped from the window in drunken condition and the petitioners brought him to the hospital for treatment but he died, after completing

investigation charge sheet has been submitted under section 304/34 of the I.P.C. and as such the petitioners who are suffering in custody since 19.10.2015 deserve sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioners are directed to 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 C.J.M. Bhojpur at Ara in Ara Town P.S. Case No. 471 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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