

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22729 of 2016

Arising Out of PS.Case No. -202 Year- 2016 Thana -SUPAUL District- SUPAUL

1. Bechan Kamat Son of Nathuni Kamat
2. Udai Kamat
3. Ravi Kamat both sons of Bechan Kamat
4. Gunjan Kamat Son of Arun Kamat are resident of Village- Supaul, ward no. 11, Police Station and District Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. J.N.Thakur(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 31-08-2016 Heard learned counsel for the petitioners, informant and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Supaul P.S. Case No. 202 of 2016 for the offences registered under Sections 147, 148, 149, 323, 337, 379, 384, 504, 427 of the Indian Penal Code later on section 302 of the Indian Penal added.

Earlier case dairy of the present case was called for, which has since been received.

Learned counsel for the petitioner submits



that though apparently, the allegation against the petitioners is that they attacked the deceased leading to his death but the post mortem report clearly reveals that the cause of death is Cardio respiratory failure which had occurred on account of hyper tension, from which, the deceased was suffering. It is further submitted that so far as other allegation is concerned, the allegation regarding *Rangdari* is also frivolous as it is merely an afterthought of the informant as the case has been lodged after a lapse of eight days from the date of occurrence. It is further submitted that no plausible explanation has been offered by the informant's side to explain the said delay.

Having heard learned counsel for the petitioners, informant and learned counsel for the State and in view of the fact that there is no cogent material in the case dairy to implicate the petitioners in the present case and there being distinct cloud on the prosecution story, let the petitioners, above named, in the event of their arrest or surrender before

the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 202 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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