

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57700 of 2015

Arising Out of PS.Case No. -357 Year- 2015 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Pinku Mishra @ Mrityunjay Kumar Mishra @ Mrityunjay Mishra son of Ram Naresh Mishra
 2. Mantun Sahni son of Budhan Sahni
 3. Monia Sahni @ Sujit Kumar @ Sujit Sahni son of Dukhan Sahni
 4. Ram Sahai Sahni son of Janak Sahni, All are resident of village- Kishanpur, P.S.- Dalsingsarai (Ghatano O.P.) District- Samastipur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anirudh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Uma Nath Mishra(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 18-02-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners are accused in connection with
Dalsinghsarai (Ghataho) P.S. Case No.357/2015 registered under
Sections 302, 201 and 120(B) of the Indian Penal Code.

The accusation is that Ankit Kumar, the son of informant
moved from the house for going to see fair along with his friends.
On 07.09.2015 Ankit Kumar @ Sonu along with the petitioners
were seen in the fair in the same night by his younger brother
namely Prakash Ranjan @ Monu and on the next date, the dead
body was found near the river, which was identified by informant

and by his younger brother namely Prakash Ranjan.

Learned counsel for the petitioners submits that there is no eyewitness of the occurrence. The only circumstance is that the petitioners were seen in the fair along with the deceased and thereafter the dead body of the deceased was recovered. The further submission is that it appears from postmortem report that the dead body was swollen without any external injury and the cause of death is due to asphyxia due to drowning and muddy water was also found in the stomach of the deceased. The further submission is that the petitioners have no criminal antecedent and are in custody since 23.09.2015 and 26.09.2015 respectively.

Having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Dalsinghsarai (Samastipur) in connection with Dalsinghsarai (Ghataho) P.S. Case No. 357/2015 corresponding to G.R. No. 712/2015.

(Rajendra Kumar Mishra, J.)

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