

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27536 of 2016**

Arising Out of PS.Case No. -155 Year- 2015 Thana -KOCH District- GAYA

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1. Shankar Choudhary, Son of Ramun Choudhary, Resident of Village-Sahganj, P.S.- Konch, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Smt. Sharda Kumari

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

05/ 08.12.2016 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 302 and 201/34 of the Indian Penal Code.

Petitioner is named in the first information report but the informant is not an eye-witness of the alleged occurrence and he expressed his suspicion against the petitioner as well as his wife on the ground that they used to sell illicit liquor and the deceased was drunkard and the petitioner and his wife might have killed the deceased to grab Rs 2,000/- which had been kept by the deceased with him.

In course of investigation, almost all witnesses have stated similar things but para 53 of the case diary goes to show that one witness stated before the Investigating officer to this effect that on the alleged date of occurrence, deceased was in inebriated condition fell



on earth and thereafter, he informed the son of the deceased and took the deceased on Thela. The post mortem report of the deceased goes to show that no external injury was found on the person of the deceased in course of post mortem examination. Investigation against the petitioner has already been completed.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Gaya in Konch P.S. Case no. 155/2015.

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(Hemant Kumar Srivastava,J)

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