

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2963 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Pran Kumar Gupta, son of Baldev Sah, Resident of Village- Prem Nagar,
Police Station- Raxaul, District- East Champaran.

..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case registered for the

offence punishable under Sections 302, 201/34 of the Indian Penal

Code.

It is alleged that this petitioner with one Salim

Ansari took the husband of the informant. It is also alleged that

since both had enmity with her husband, she sent Bittu Kumar

with her husband. The husband of the informant did not return and

on enquiry, it was found that dead body of her husband was lying

in a field near Nahar. Later on, Bittu Kumar was also found dead.

The District Judge has mentioned about different

paragraphs of the case diary in the impugned order. From the



written report, it appears that except the allegation that petitioner took the husband of the informant, there is no any specific allegation of overt act against him.

The doctor has stated in the post mortem report that death was caused due to firearm but there is no allegation in the written report that petitioner came to take the husband of informant armed with firearm.

The petitioner is in custody since 20.9.2016.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari in connection with Raxaul P.S. Case No. 147 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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