

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53983 of 2017

Arising Out of PS.Case No. -207 Year- 2017 Thana -BHAGWAN BAZAR District- SARAN

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Deepak Rai, Son of Late Gautam Rai, Resident of Village- Ratanpura,
P.S.- Bhagwan Bazar, Dist.- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Bhagwan Bazar P.S. Case No. 207 of 2017 registered under
Sections 302, 120(B)/34 of the Indian Penal Code.

The petitioner along with other accused persons are
said to have taken elder brother of the informant to the house of
Gauri Shankar Patwa. Neighbour of the informant namely, Vinay
Rai had also seen him with the petitioner in the said house. On
the following morning, his brother was found dead in the locked
room of the said house.

It is submitted by learned counsel for the petitioner
that the allegation levelled against the petitioner is not specific



rather omnibus. There is no eye witness of the occurrence of assaulting the deceased by the petitioner. It is simply a case of last seen. There is no animosity of the petitioner with the informant or the deceased. Thus, the circumstances are not sufficient to indicate the complicity of the petitioner in the occurrence. The injuries found on the person of the deceased by the doctor are simple in nature barring one neck injury which is also not sufficient to cause death of the deceased. The petitioner has been languishing in custody since 19.06.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case no. 207 of 2017.

(Prakash Chandra Jaiswal, J)

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