

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9593 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -KOTHIBARI District- KISANGANJ

- =====
1. Pappu Sah, son of Mahavir Sah,
 2. Dinesh Sah, son of Mahavir Sah, both are resident of village- Gairipur,
Police Station- Kodhobari in the district of Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 28-03-2017

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in Kodhobari
P.S. Case No.12 of 2016 instituted for the offence under
Section(s) 363, 367, 302, 120-B/34 Indian Penal Code.

It is alleged in written report that on 24.05.2016 the
petitioners and other accused took the son of the informant to
Delhi to earn livelihood. After 4-5 days, she got information that
her son has got head injury. The elder son and son-in-law of the
informant went to Delhi and saw the deceased admitted in Govt.
Hospital and his condition was critical. The informant got
information on 01.06.2016 that her son has died. The petitioners
came to Kishanganj with dead body but petitioner No.2 got down
from Ambulance and fled away.



Learned APP has stated that case diary has been received, wherein, there is no allegation of any specific overt act against the petitioner. Post Mortem Report has been annexed as Annexure-2, wherein, the doctor has opined the cause of death shock as a result of *ante mortem* injury to head produced by blunt force impact.

Counsel for the petitioners has submitted that son of the informant sustained injury on account of road accident.

It is mentioned in para 3 that the petitioners have clean antecedents.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Kodhobari P.S. Case No.12 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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