

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1306 of 2017

Arising Out of PS.Case No. -186 Year- 2015 Thana -DIGHWARA District- SARAN

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1. Rakesh Kumar Rai, son of Dasai Rai, resident of Aami, P.S.- Dighwara, District- Saran.
 2. Shrawan Rai, son of Chhabila Rai, resident of village- Kuriyan, P.S.- Dighwara, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 02-02-2017

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The Petitioners seek bail in Dighwara P.S. Case No.186 of 2015 instituted for the offence under Section(s) 302, 201, 120-B/34 Indian Penal Code.

It has been submitted that the petitioner No.1 is the owner of the truck and petitioner No.2 is brother of father-in-law of the petitioner No.1.

Allegation in the written report is that one truck caught fire and one dead body said to be of a monkey was given to some *Thela* puller to throw the same in the Ganges. Later on, the Informant learnt that the dead body was of a man.



It has been submitted that there is no overt act against the petitioners. They have no concern with causing fire in the truck and/or throwing the dead body of the man. At best, the allegations against them are under Section 201 Indian Penal Code. The driver of the truck, Parash Singh, has been granted bail by a co-ordinate Bench of this Court by order dated 21.06.2016 passed in Cr. Misc.No.10832 of 2016. The petitioners are in custody since 10.11.2016.

In such circumstances, let the Petitioners, above named, be released on bail on furnishing bail bond of ₹10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, II, Chapra, in connection with Dighawara P.S. Case No.186 of 2015, subject to the conditions that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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