

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38231 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -KONCH District- GAYA

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1. Baij Nath Mistri @ Baidh Nath Mistry, Son of Late Shiv Jatan Mistri,
2. Paras Kumar Son of Sri Baij Nath Mistri, Both are R/o Village- Harna
Math, P.S.- Tekari, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 14-11-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Konch
P.S.Case No. 57 of 2017 registered for the offences punishable
under Sections 328, 302, 504, 506 and 34 of the Indian Penal
Code.

Prosecution case is that daughter of petitioner No.1 was
married with deceased and he came to know that deceased
solemnized second marriage and came to the village and thereafter
panchayati was held and later on deceased went away towards
papal tree and started vomiting and during treatment he died and
petitioners have been arrested by villagers. Allegation is that
petitioners have administered poison to the deceased and due to
which he died.

Submission of learned counsel for the petitioners is that
after investigation charge sheet has been submitted under Section
306 IPC only because of the fact that deceased has committed



suicide and they are in custody for eight months.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances, as stated above, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Susri Akanksha Kashyap, A.C.J.M., Gaya, in connection with Konch P.S.Case No. 57 of 2017, subject to the following conditions :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioners shall co-operate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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