IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27619 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -KINJAR District- JEHANABAD

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1. Krishna Das @ Hero Das @ Kiri Das Son of Late Ramratan Das, Resident of- Kadirganj, Police Station- Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner. No one appears for the State.

The petitioner is in custody in connection with Kinjar P.S. Case No. 76 of 2016 for the offences under Sections 341, 323, 307, 504/34 of the Indian Penal Code. However, Section 302 IPC was later on added vide order dated 6.9.2016.

Counsel for the petitioner submits that the deceased died in a road accident and after unexplained delay of five days the FIR was lodged.

In this case the police has made investigation and recorded the statement of several witnesses and the materials available in the case diary indicated that the deceased died in the road accident. In fact, in the case of similarly circumstances

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accused, Ram Eakwal Das, a Co-ordinate Bench of this Court called for the case diary and the case diary was perused and the Court after perusal of the case diary including para-80 thereof, granted bail to Ram Eakwal Das on the basis of the fact that from the case diary it appeared that the injury was caused by road transport accident.

Having regard to the fact that a Co-ordinate Bench of this Court after perusal of the case diary granted bail to co-accused Ram Ekawal Das on the ground that the injury was caused to Pappu Kumar by a road accident, on the ground of parity, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arwal or the successor Court in connection with Kinjar P.S. Case No. 76 of 2016, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and will not, in any manner, tamper with the evidence or influence the witnesses.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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