

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54331 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Vindhyachal Patel @ Binhachal Patel, S/o Late Jangbahadur Patel,
resident of Village- Khalawa Tola, P.S.- Nawalpur (Yogapatti), District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 08-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Yogapatti
(Nawalpur) P.S. Case No. 157/2017 dated 16.05.2017 instituted
for the offences under Sections 302, 404/34 of the Indian Penal
Code.

From the F.I.R., it appears that the
petitioner/Vindhyachal Patel @ Binhachal Patel, who is 62 years
of age, and two others had dropped the son of the informant at her
house and had also called the informant. When the informant came
out of her house, she saw that her son was dead and the money
which was withdrawn on the same day was missing.

Learned counsel for the petitioner has submitted that



assuming but not admitting the allegation that the petitioner along with two others had dropped the deceased at the house of the informant, it cannot at all be said that the petitioner had killed him. Had the petitioner made any attempt to kill or injure the deceased, he would not have taken the risk of reaching the deceased to his home. There is no reason or motive for the petitioner to have killed the deceased. During the course of investigation, nothing incriminating has been collected against the petitioner.

The petitioner is in custody since 17.05.2017 and he does not bear any criminal antecedent.

Regard being had to the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 157/2017.

(Ashutosh Kumar, J.)

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