

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5276 of 2017**

Arising Out of PS.Case No. -160 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

- =====
1. Binda Devi, Wife of Tarni Rikyasnan,
  2. Rakesh Rikyasnan, Son of Tarni Rikyasnan.
  3. Jaya Kumari, Daughter of Tarni Rikyasnan.
  4. Tarni Rikyasnan, son of late Kedar Rikyasnan.
  5. Dinesh Rikyasnan, Son of Late Kedar Rikyasnan.
  6. Jyotish Rikyasnan, Son of Dinesh Rikyasnan.
  7. Satish Rikyasnan, Son of Dinesh Rikyasnan.
  8. Mohan Kumar @ Mohan Rikyasnan, Son of Dinesh Rikyasnan.
  9. Sanni Kumar @ Sunni Rikyasnan, Son of Dinesh Rikyasnan,
  10. Nutan Devi, Daughter of Dinesh Rikyasnan.
  11. Bharni Devi, Wife of Dinesh Rikyasnan, All resident of Musharri Patti, Naugachia, ward No. 19, P.S. Naugachia, District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      15-02-2017      Heard the parties.

This application has been filed in connection with Naugachia P.S.Case No.160 of 2016 for the offence under Sections 341/323/504/304/34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that no specific allegation of assault is there rather it is alleged that the petitioner was habitual drinker and in course of that he fell down in the railway ditch and died and except that there is no other allegation.

Heard learned A.P.P. also, who does not controvert the



aforesaid fact.

Having heard both sides. In view of the facts, as above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. Ist, Naugachia, District- Bhagalpur in connection with Naugachia P.S.Case No.160 of 2016 dated 13.9.2016 district- Bhagalpur, G.R.No.1009 of 2016 , subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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