

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44073 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -DHAMDAHA District- PURNIA

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1. Gopi Kant Jha, Son of Mahesh Jha,
2. Mahavir Kumar, Son of Gopi Kant Jha, Both resident of Village-
Dhamdaha Uttar Tola, Police Station- Dhamdaha, District- Purnea.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jibendra Mishra

For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Dhamdaha P.S. Case No. 72 of 2016 registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

Petitioner is named in the FIR and the case is under Section 302 IPC.

Submission of learned counsel for the petitioners is that earlier informant has filed U.D. case and later on on the basis of mobile data petitioner has been implicated in this case. Further submission is that earlier petitioners were granted anticipatory bail by a co-ordinate Bench of this Court and after submission of charge sheet their bail bonds have been cancelled and now they are in custody since 18.7.2017. Further submission is that though in viscera report poisonous substance was found but there is



allegation against the petitioners of administering poison to the deceased and petitioners shall not misuse privilege of bail.

Heard learned APP also.

Having heard both sides and in view of the 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 Chief Judicial Magistrate, Purnea, in connection with Dhamdaha P.S. Case No. 72 of 2016, G.R.No. 1110 of 2016, subject to the following conditions :-

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

(Vinod Kumar Sinha, J)

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