

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24114 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Mansur Mian Son of Late Salim Mian, Resident of Village- Maiyariya
Sareya, P.S.- Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner and learned Addl.
Public Prosecutor for the State.

The petitioner seeks bail in Harsidhi P.S. Case No. 269
of 2016 instituted for the offence under Sections-302, 201/34 of
the Indian Penal Code.

It is submitted that this is a case of last seen. There is no
specific allegation of overt act against the petitioner.

In the written report, there is allegation that the petitioner
and other accused persons committed murder of husband of
informant by strangulation but in the postmortem report, the
doctor has found cause of death as acute heart failure. In the
written report, it is alleged that the husband of the informant went
with the petitioner and one another person and he did not return.



Thereafter, the informant got information from chowkidar that dead body of her husband is lying in the bush near Ramnagar village. The informant raised suspicion in the written report that her husband has been done to death by strangulation by this petitioner and other accused.

The C.D. has been received.

Learned APP after verifying the C.D. and perusing the Postmortem report, has submitted that the doctor has opined the cause of death as acute heart failure. No external injury was found on the person of the deceased.

In such circumstances, prayer for bail is allowed. The petitioner, named above is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Harsidhi P.S. Case No. 269 of 2016 to the satisfaction of learned Chief Judicial Magistrate,, Motihari, East Champaran subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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