

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63049 of 2017

Arising Out of PS.Case No. -263 Year- 2017 Thana -GAURICHAK District- PATNA

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1. Bablu Kumar, Son of Lal Babu Rai,
 2. Guddu Kumar @ Nilesh Kumar, son of Ambika Rai @ Ambika Singh,
Both are resident of Village Khushihal Chak, P.S. - Gaurichak, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 08-03-2018

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

The informant suspects that his elder son Deepak Kumar along with the petitioners and others induced the younger son to go with them and thereafter committed murder of the younger son by throttling him. The reason is family dispute due to marriage of co-accused Deepak.

Submission of the learned counsel for the petitioners is that there is no eye-witness of the occurrence nor the Doctor has found any sign of throttling because in the event of throttling, the trachea would certainly get damage or some sign of



ligature etc. would be found at the front portion of the neck. The Doctor has found blood stains froth over nostril and ligature mark on the left side of neck besides other injuries. The blood stained froth may be due to consuming poison or administration of poison whatever may be but the opinion is still reserved.

Learned counsel for the informant opposed the prayer for bail on the ground that other witnesses have also supported the prosecution case as disclosed in the FIR.

Considering the fact that only material is suspicion against the petitioners, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Gaurichak Police Station Case No. 263 of 2017, subject to the condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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