

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31608 of 2018

Arising Out of PS.Case No. -94 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Badari Mukhiya @ Badri Mukhiya S/o Late Chanar Mukhiya
2. Rudal Mukhiya S/o Late Chanar Mukhiya
3. Musmat Subasini @ Musmat Subhashini W/o Late Chanar Mukhiya
4. Tetari Devi W/o Badari Mukhiya @ Badri Mukhiya
5. Rabadi Devi @ Rabari Devi W/o Rudal Mukhiya, All resident of Village-
Bariyarpur, Bin Toli, P.S.- Nautan, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Sri Shyam Kumar Singh, APP
For the informant : Mr. Abhishek Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-06-2018 The petitioners are apprehending their arrest in connection with Nautan P.S. Case No. 94 of 2017, registered for offences punishable under Sections 341, 323, 447, 379, 504 and 34 of the Indian Penal Code. Section 302 of the IPC was added.

Allegation against the petitioners is of assaulting the deceased causing his death.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and the deceased died in some other manner after more than one month of the occurrence and, thereafter, section 302 of the IPC was added. It has also been submitted that the postmortem report of the



deceased does not show any external injury.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Nautan P.S. Case No. 94 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates



without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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