

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37642 of 2018

Arising Out of PS. Case No.-872 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Bhushan Rai @ Chandra Bhushan Rai son of Late Baidnath Rai
2. Amarnath Rai son of Late Baidnath Rai Both resident of village-
Chandpur Dhamaun, P.S. Patori, District- Samastipur

... .. Petitioners

Versus

1. The State of Bihar
2. Shatrughan Rai son of Late Sukhadev Rai Resident of village- Chandpur
Dhamaun, P.S.- Patori, District- Samastipur

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Ganesh Prasad Singh, Adv.
For the Opposite Parties : Mr. Sri Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 07-09-2018 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Protest-cum-Complaint Case No. 872 of 2016 arising out of Patori P.S. Case No. 270 of 2013 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Informant who is the father of deceased has stated in his written complaint that on 23.08.2013 at about 9:30 P.M. after taking meal he went at hand pump for drinking water where he saw that petitioners along with other co-accused persons have tried to strangle his son and on raising alarm



they fled away thereafter he took his son to the hospital where he was declared dead.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. It has been stated that deceased went outside from the house to urinate where he came in contact with live electric wire as a result of which he died due to electrocution. It has been further submitted that similarly placed co-accused Sanjay Ray has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 30677 of 2018 vide order dated 05.07.2018. Police had submitted Final Form stating the case as not true.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class-cum-Additional Munisif, Samastipur in connection with Complaint Case No. 872 of 2016.

(S. Kumar, J.)

Rajiv/manoj

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