

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50466 of 2018

Arising Out of PS.Case No. -393 Year- 2017 Thana -KANTI THERMAL POWER District -
MUZAFFARPUR

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Arun Mishra, S/o Late Sukhdev Mishra, R/o Vill.- Sain Shiv Prasad Singh,
P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Advocate

For the Opposite Party/s : Mr. Sri Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-09-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Kanti P.S. Case No. 393
of 2017 instituted for the offence under Sections 302 and 201/34
of the Indian Penal Code.

It is alleged that petitioner along with other named co-
accused persons took away the deceased Mahesh Pandey (uncle
of the informant) near a live electrical pole where the electric
wire was lying on the earth. It is further alleged that petitioner
along with other co-accused persons threw the deceased on the
live wire on account of which he died on the spot. Thereafter, the
dead body was made to disappear.

Counsel for the petitioner submits that mere general
and omnibus allegation has been levelled against the petitioner



due to previous land dispute which also find mentioned in the written report. Counsel for the petitioner further submits that in the case diary police has mentioned about place of occurrence in paragraph-4 of the case diary wherein it is not mentioned that any electric wire or live electric wire was found.

Petitioner is said to be in custody since 8.6.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate (West) Muzaffarpur, in connection with Kanti P.S. Case No. 393 of 2017, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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