

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54242 of 2018

Arising Out of PS. Case No.-83 Year-2018 Thana- ATHMALGOLA District- Patna

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1. Nitish Kumar, S/o Late Chotu Sah,
 2. Shilpi Devi @ Shilpi Kumari W/o Nitish Kumar , Both R/o Vill.-
Rupas Din Dayal Singh Ka Tola, P.S.- Athmalgola , District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek bail in Athmalgola P. S. Case
No. 83 of 2018 instituted for the offence under Section(s)
302/34 Indian Penal Code.

Petitioner is in custody since 8.5. 2018.

In the written report, it is alleged that sister of the
informant has constructed house just adjacent to the house of
the informant after purchasing the land. She was living with her
son and daughter-in-law. They always used to have altercation
with the mother. The informant has tried to persuade them but
they did not agree.

It is alleged that on 7.5. 2018 both these petitioners



have assaulted his sister on account of which she died.

Case diary has been received.

Learned counsel for the petitioner has submitted that in the case diary there is no eye witness of the occurrence. All the witnesses are hearsay witnesses. The informant has raised mere suspicion against this petitioner.

Learned APP after looking into the case diary has submitted that witnesses are hearsay witnesses. Learned counsel for the petitioner after looking into the postmortem report submits that only one injury was found on the temporal region of the deceased.

Considering the aforesaid, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the SDJM, Barh Dist. Patna, in connection with Athmalgola P. S. Case No. 83 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioners.

(Sanjay Priya, J)

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