

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51370 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

=====

1. Dinesh Patel S/o Nathuni Patel, R/o Village- Piparahiya, P.S.- Jogapatti
(Nawalpur), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 04-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Jogapatti
(Nawalpur) P.S. Case No. 157/2017 dated 16.05.2017 instituted
for the offences under Sections 302, 404/34 of the Indian Penal
Code.

It has been alleged in the F.I.R. that the petitioner, who
is related to the informant, had taken the son of the informant on
his motorcycle. Later, the dead body of the son of the informant
was thrown in front of the house of the informant by one
Vindhyachal Patel and two others.

Learned counsel for the petitioner has submitted that
merely because the petitioner had accompanied the son of the
informant, a day prior to the occurrence, it cannot be
suggested/inferred that had he killed the deceased. He would not



have made efforts to throw the dead body of the deceased in front of the house of the informant, if the deceased would have been killed at his instance.

No reason or motive has been assigned for killing the deceased. There is no other material except the aforesaid statement against the petitioner made in the F.I.R.

One of the accused persons, viz. Vindhyachal Patel, who had actually taken the deceased to the house of the informant and had also called her out of home but did not wait for her to come out, has been granted bail by this Court on 08.12.2017 in Cr. Misc. No. 54331/2017.

The petitioner is in custody since 17.05.2017 and does not bear any criminal antecedent.

considering the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Bettiah, West Champaran in connection with Jogapatti (Nawalpur) P.S. Case No. 157/2017.

(Ashutosh Kumar, J.)

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