

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29852 of 2018

Arising Out of PS.Case No. -130 Year- 2017 Thana -GURARU District- GAYA

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1. Parvin Sao,
 2. Navin Sao @ Navin Kumar Gupta, both are sons of late Ram Bali Sao,
resident of village- Devkuli, P.S.- Guraru, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 02-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Guraru P.S.**

Case No.130 of 2017 instituted for the offence under Section(s)
302/34 Indian Penal Code.

Counsel for the petitioners submits that husband of the informant was mentally ill. His treatment was going on in Ranchi. It has come during investigation that he had altercation with his father and death has taken place, as per written report, after one month of the alleged occurrence.

Counsel for the petitioner further submits that during investigation mother, father, Bhabhi and brother of the deceased and other villagers stated that deceased, Pradip Kumar, was suffering from mental illness and was under treatment at Ranchi.



On the occasion of *Chath* festival, he threw a *Dhella* on account of which neighbours made complaint to the family members of the deceased. Family members of the deceased asked him not to do such act, but he did not obey. Thereafter, he was confined in a room by his family members. One month after that he died.

Case diary has been received, wherein, post mortem report is available. The Doctor did not find any ante mortem injury. Several viscerae were preserved. Opinion about the cause of death has been reserved.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Guraru P.S. Case No.130 of 2017**, they shall be released on anticipatory 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 **Additional Chief Judicial Magistrate, V, Gaya**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their



absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

JA/- **(Sanjay Priya, J)**

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