

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9827 of 2018

Arising Out of PS.Case No. -247 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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1. Tribhuwan Kumar, S/o Late Haribansh Prasad,
2. Panna Lal Prasad S/o Swansh Prasad,
3. Abhimanu Prasad S/o Late Yado Lal Prasad, All R/o Village- Kamar
Cholli, P.S.- Chiraiya (Dhaka), District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-04-2018 Heard the learned counsel for the petitioners and

learned APP for the State.

The petitioners seek anticipatory bail in connection
with Dhaka P.S. Case No. 247 of 2016 for the offence registered
under sections 328, 302/34 of the Indian Penal Code.

The case of the prosecution is that the deceased had
gone to his petrol pump for the purposes of eating meat and
thereafter when he was returning home he died on the way.

The learned counsel for the petitioners submits that the
petitioners herein are the employees of the said petrol pump and
have been roped in the present case merely on the basis of
suspicion. It is further submitted that as far as the postmortem



report is concerned, no external injury has been found on the person of the deceased, however, the viscera report shows that the deceased might have been poisoned. In fact the entire case diary also does not whisper anything except suspicion as far as the petitioners herein are concerned. The petitioners are said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahana at Motihari in connection with Dhaka P.S. Case No. 247 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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