

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2219 of 2018

Arising Out of PS.Case No. -9 Year- 2017 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

- =====
1. Rita Devi wife of Late Anil Chauhan
 2. Raja Kumar Son of Late Anil Chauhan Both residents of village -
Ikaspur, Police Station - Telhara, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Md. Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 14-03-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody in connection with
Telhara P.S. Case No.9 of 2017, a case under Sections
341/323/308/325/504/34 of the Indian Penal Code. Subsequently,
offence under Section 302 of the Indian Penal Code was added.

There is general and omnibus allegation against
the petitioners and others to have assaulted to the 90 years old
husband of the informant as a result whereof he died subsequently.

Submission is that the doctor has not found any
injury on the vital part of the deceased and the FIR was lodged
only after death. The allegation is general and omnibus. The



petitioners are in custody since 20.11.2016 and 21.11.2016. The investigation is already complete.

Learned counsel for the informant opposed the prayer drawing the attention of the Court towards post mortem report that doctor has found rupture of spleen besides other injuries.

Considering the entire facts aforesaid, let the petitioners, above named, be released on bail **after framing of the charge or after three months from today whichever is earlier** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Telhara Police Station Case No. 9 of 2017, with condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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