

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24451 of 2018

Arising Out of PS.Case No. -387 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Chandra Bhushan Pandey @ Chandra Bhushan Kumar son of Bachchu Pandey Resident of Village + P.O. - Khanawan, P.S. - Narhat, Dist. - Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 03-07-2018 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Muffasil (Gaya) P.S. Case No. 387 of 2017 for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The allegation is regarding the petitioner having gone to the house of the deceased for the purpose of recovering his money which had been invested in a finance company whereupon the scuffle is said to have taken place resulting in subsequent death of the deceased in the hospital.

The learned counsel for the petitioner has submitted that though the FIR was registered under Section 302 of the Indian Penal Code but subsequently the charge sheet has been filed under



Section 304 of the Indian Penal Code which goes to suggest that the petitioner did not have the intention of killing the deceased and since the deceased was bearing a muffler in his neck, on account of scuffle the same might have been pulled resulting in strangulation of the deceased. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 07.02.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil (Gaya) P.S. Case No. 387 of 2017.

(Mohit Kumar Shah, J)

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