

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70709 of 2018

Arising Out of PS. Case No.-514 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Anish Ram @ Atish Ram Son of Bharat Ram, resident of Village- Dhanauti,
Police Station- Dhanauti O.P., District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-12-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Siwan Mufassil
(Dhanauti O.P.) P. S. Case No. 514 of 2018 instituted for the
offence under Section(s) 302, 328 and 120B/34 of the Indian
Penal Code.

Learned counsel for petitioner submits that brother
of the informant voluntarily gone with this petitioner and other
accused persons and took meal, drink etc. In the meantime, one
co accused Subhash Parit also joined and gave some liquid to
drink to his brother. Thereafter, his condition became serious.
Thereafter, co accused Akbar Mian and Sonu Kumar brought
his brother on motorcycle near furniture shop in Rampur



bazaar and left him and informed his family members. The informant took his brother to Sadar hospital Siwan, where he was declared dead.

Learned counsel for petitioner submits that there is no allegation of specific overt act against this petitioner.

From the written report itself it appears that brother of the informant voluntarily gone to take meal with this petitioner along with co accused Munna Yadav, Akbar Mian and Atish Ram.

Learned counsel further submits that in paragraph no. 24 and 60 of the case diary witnesses have stated that brother of the informant had taken meal with the accused persons.

Case diary has been received in this case.

Learned APP for the State after looking into the case diary submits that postmortem report is available in the case diary, wherein, the doctor has preserved various viscera for chemical examination and no cause of death could be determined.

Petitioner is in custody since 9.9.18

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.



10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the CJM Siwan, in connection with Siwan Mufassil (Dhanauti O.P.) P. S. Case No. 514 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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