

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60656 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- SUGAULI District- East Champaran

1. Shivnarayan Pandit, Son of Devaki Pandit
2. Guddu Kumar, Son of Prabhu Pandit,
Both are Resident of Village- Gorigawa, Police Station-Sugauli,
District-East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Murari Sharan Tiwari, Advocate
Mr. Rajiv Ranjan, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 11-12-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Sugauli P. S. Case No.06 of 2018, G. R. No. 62 of 2018
registered under Sections 302 and 120B/34 of the Indian Penal
Code.

It is contended by the learned counsel for the
petitioners that the petitioners have been implicated in the
instant case only on wild suspicion. As a matter of fact, the
alleged victim died a natural death and the doctor, who
conducted the post-mortem examination on his body, had found
no internal or external injury and opined that cause of death



was cardiac arrest due to extreme cold.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail on the ground that the informant and some other witnesses have supported the allegation made in the FIR.

Having considered the rival submissions, on perusal of the post-mortem examination report, I do find that the doctor has opined that there was no internal or external injury and the death was caused due to cardiac arrest.

In that view of the matter, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are 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, East Champaran at Motihari in Sugauli P. S. Case No.06 of 2018. G. R. No. 62 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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(Ashwani Kumar Singh, J)

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