

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79983 of 2018

Arising Out of PS. Case No.-361 Year-2018 Thana- PUPRI District- Sitamarhi

1. Indradeo Rai
 2. Jay Chandra Rai
- Both sons of Late Amiri Rai R/o-Awapur North, P.S-Pupri, Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-04-2019 The petitioners apprehend their arrest in connection with
Pupri P.S.Case No. 361 of 2018 registered under Sections 302,
323, 341, 342, 337, 354 and 504 of the Indian penal Code.

Allegation against the petitioners is that while they were
constructing wall, same was protested by the informant and in
the meantime, daughter-in-law of the informant came with a boy
in her lap and the petitioners thrown the boy on the ground
causing injury to him and later one died.

Submission of learned counsel for the petitioners is that
postmortem report itself shows that there is no injury on the
person of boy and it further shows that boy died die to illness as
he was suffering from protein energy malnutrition and the
evidence collected during investigation also shows that boy was



suffering from illness.

Heard learned APP as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail on the ground that there is direct allegation against these petitioners of throwing the boy on the ground causing his death and as such its not a case for grant of anticipatory bail.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri at Sitamarhi in connection with Pupri P.S. Case No. 361 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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