

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22710 of 2019

Arising Out of P.S. Case No.-435 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. PRAKASH TIWARI @ PRAKASH KUMAR TIWARI aged about 26 years (Male) Son of Baliram Tiwari Resident of Village-Dudhpura, P.S-Muffasil, District-Samastipur.
 2. Rishabh Kumar @ Vikash Kumar @ Vikash Tiwari, aged about 22 years, Son of Baliram Tiwari Resident of Village-Dudhpura, P.S-Muffasil, District-Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Pramod Kumar Singh, Advocate
For the Opposite Party	:	Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302, 201 and 120B/34 of the Indian Penal Code.

The prosecution case is that on 16.07.2018, informant received information by some other persons that his son was lying in a pond. Thereafter, informant and villagers went to the place of occurrence and recovered the dead body of the deceased from the pond.

It is submitted on behalf of the petitioners that the FIR has been registered on the basis of mere suspicion. It is also submitted that the postmortem report does not corroborate the



allegation levelled in the FIR. He further submits that during course of investigation it was found that both the petitioners had gone to Agra on the alleged date of occurrence in connection with their Admission. Petitioners have got no criminal antecedent.

Considering the facts aforesaid, let the above named petitioners be released on bail in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Samastipur, District-Samastipur/successor Court in connection with Muffasil P.S.Case No.435 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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