

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29697 of 2019

Arising Out of PS. Case No.-454 Year-2015 Thana- SUGAULI District- East Champaran

PARAS RAM S/O Late Tena Ram R/o - Village Phulwaria, P.S.- Sugauli,
District- East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Sugauli P.S. Case No. 454 of 2015 registered for the offence punishable under Sections 302, 328, 120B and 34 of the Indian Penal Code.

As per allegation in the FIR, the informant, who is son of the deceased tried to persuade his father, who was sitting with the accused persons, to come back home, however, he continued in the company of the accused persons. Subsequently the accused are said to have left his father at his home and went away. It is alleged that foam was coming out from the mouth of his father and soon thereafter, on being taken to the hospital, the doctor declared his father dead.

It is submitted by learned counsel for the petitioner that it is evident from the FIR that father of the petitioner was in the company of the persons drinking and it appears that he died



as a result of cardiac arrest in a drunken state. At best, it is a case of last seen and no specific allegation has been attributed against the petitioner. He has further submitted that so far as the allegation made by the informant that the accused persons left the informant's father at his home, does not find justification in view of the fact that even in the FIR, there is no eye witness.

The application for bail is opposed by the learned APP for the State.

Having heard learned counsel for the parties and considering the fact that petitioner is in custody since 12.12.2017, has no criminal antecedent and the investigation has also concluded, this Court is inclined to grant bail to the petitioner. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Vth, East Champaran, Motihari in connection with Sugauli P.S. Case No. 454 of 2015.

(Partha Sarthy, J)

sushma/-

U		T	
---	--	---	--

