

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38135 of 2019

Arising Out of PS. Case No.-59 Year-2010 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. KAUSHILA Wife of Pragash Sahni Resident of village- Rampat Pakri, P.S. Mejarganj, District- Sitamarhi.
 2. Rajesh Sahni Son of Pragash Sahni Resident of village- Rampat Pakri, P.S. Mejarganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. C1-59 of 2010, in which cognizance has been taken under Sections 304,201/34 of the Indian Penal Code.

Allegation against the petitioners as per the written report is that six accused persons including petitioners assaulted the son of the informant by means of fists and slaps and thrown him in the pond due to which he died.

Submission of the learned counsel for the petitioners that there is delay of sixteen days in lodging the complaint. As a matter of fact, deceased died due to drowning and at that time complainant was not present at his house but later on he filed



complaint petition. Further submission is that later on police submitted final form in this case finding the case untrue but on protest petition filed by the informant cognizance has been taken against the petitioners. They have been falsely implicated in this case only on suspicion.

Heard learned A.P.P. also.

In view of the above facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of Smt. Jyoti Kumari the learned A.C.J.M., 1st, Sitamarhi, in connection with Complaint Case No. C1-59 of 2010, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.

(Vinod Kumar Sinha, J)

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