

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59129 of 2019

Arising Out of PS. Case No.-272 Year-2018 Thana- KASBA District- Purnia

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1. Sita Ram Thakur, Son of Late Krishnanand Thakur, Resident of Village - Sanjhaili, P.S.- Kasba, District- Purnea
 2. Satyanand Thakur, Son of Sita Ram Thakur, Resident of Village - Sanjhaili, P.S.- Kasba, District- Purnea
 3. Jitendra Thakur, Son of Sita Ram Thakur, Resident of Village - Sanjhaili, P.S.- Kasba, District- Purnea

... .. 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.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kasba P.S. Case No. 272 of 2018, registered under Sections 302/34 of the Indian Penal Code.

The accusation is that on 17.09.2018, at about 7 A.M., Shankar Sharma, husband of the informant had gone to the house of Satyanand Thakur for taking his remuneration of Rs.15,000/-, as husband of the informant had done some furniture work, on which, all petitioners along Kalpana Kumari started to abuse, assault and denied to pay the remuneration



amount. On sustaining injury her husband fell down on the ground. Thereafter on receiving information, informant went there then saw her husband laying on the ground. Thereafter, she brought her husband to the village Doctor and on that day, her husband was rushed to Sadar Hospital, Purnea due to his chest pain, from where, her husband was referred for better treatment but her husband died in course of treatment.

Learned counsel for the petitioners submits that while the occurrence is said to be taken on 17.09.2018 but the informant lodged the present case on 09.10.2018 after ten days of the occurrence without giving any explanation. In the postmortem examination, no any external injury was found over the dead body of husband of the informant and the cause of death is said to be cardiac failure, which has come in the order dated 16.07.2019 passed in A.B.P. No. 653 of 2019, whereby the pre-arrest bail of the petitioners has been rejected. Further submission is that it would appear from the F.I.R. that informant is not the eye witness of the occurrence.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with Kasba P.S. Case No. 272 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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