

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58475 of 2019

Arising Out of PS. Case No.-77 Year-2017 Thana- AKBARPUR District- Nawada

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1. GUDDU KUMAR @ SANTOSH KUMAR @ SANTOSH Son of Sharwan Ram Resident of Village-Akbarpur Dhalab, P.S.-Akbarpur, District-Nawada.
 2. Pankaj Kumar Son of Sharwan Ram Resident of Village-Akbarpur Dhalab, P.S.-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Akbarpur P.S. Case No.77 of 2017 registered under Sections 341, 448, 307 and 302/34 of the Indian Penal Code.

The accusation is that in the midnight of 18/19.04.2017, three persons, named in the F.I.R., including the petitioners climbed at the house of the informant and pushed his father, due to which the father of the informant fell down and sustained injuries. When the father of the informant returned to the house after having been treated from Akbarpur Government Hospital, he died.

Learned counsel for the petitioners submits that after lodging of the present case, the police, on investigation, submitted



the final form against the petitioners and one another but differing with the final form, the Additional Chief Judicial Magistrate-I, Nawada, took the cognizance of the offence against them. In fact, the father of the informant woke up in the mid-night for urinal and when he went at the roof of the house for urinal, he fell down and sustained injuries and, later on, died but the informant, who is the agnates of the petitioners, taking the advantage of the death of his father lodged the present case with false allegation. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Nawada, in connection with Akbarpur P.S. Case No.77 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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