

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61017 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- DARPA District- East Champaran

RAM BABU RAI Son of Late Ranbahadur Rai Resident of Village -
Belahiya, P.S.- Darpa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-09-2019 This application, for grant of anticipatory bail, arises out of Darpa P.S. Case No. 39 of 2019, disclosing offences under Sections 147, 341, 323, 302, 504 and 34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that he assaulted the deceased and, thereafter, other accused persons also assaulted him due to which, he became unconscious and later on died.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and postmortem report, which is annexure -2 clearly shows that deceased died due to chronic long disease.

Heard learned A.P.P. also.

Having heard both sides, from perusal of postmortem



report, it appears that there was external injury on the person of the deceased but opinion of postmortem report shows that deceased died due to chronic long disease, in such view of the matter, this application is disposed of with direction to the petitioner to surrender in the court below within a period of two weeks and the court below shall verify the contents of the postmortem report and if the submission of learned counsel for the petitioner that deceased died due to chronic long disease, he will release the petitioner on bail to his own satisfaction, otherwise, he is free to pass any order / orders as he deems fit and proper.

(Vinod Kumar Sinha, J)

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