

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60404 of 2019

Arising Out of PS. Case No.-13 Year-2016 Thana- SAKSOHRA District- Patna

1. SANJEET KUMAR Son of Bhagawan Das Resident of Village-Atnama, P.S.-Barh, District-Patna.
2. Jitendra Paswan Son of Bhagawan Das Resident of Village-Atnama, P.S.-Barh, District-Patna.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 04-12-2019 Heard learned Counsel for the petitioners as well as Counsel for the informant and the learned APP for the State.

Petitioners are in custody and seek bail in Saksohara PS Case No. 13 of 2016 registered under Sections 304 and 34 of the IPC.

It is submitted by petitioner's Counsel that description of the occurrence as per the FIR makes it abundantly clear that the victim himself had jumped into the water and cause of death has also been found in the Post Mortem Report to be by drowning.

Learned APP and the Counsel for the informant have opposed the prayer for bail to submit that there are sufficient materials in the investigation to suggest that the deceased had stolen a mobile belonging to the petitioners and for which the instant petitioners had threatened to beat the victim earlier.

Considering the rival submissions and the fact that the



petitioners have no criminal antecedents and are in custody since 21.6.2019 this Court is inclined to allow petitioner's prayer for bail.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Manoj Kumar, Judicial Magistrate, 1st Class, Barh, Patna in Saksohara PS Case No. 13 of 2016 subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

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

