

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66797 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

1. TETARI DEVI Wife of Haridwar Prasad Bind Resident of Village - Dulahara, P.S.- Chainpur, District - Kaimur at Bhabua.
2. Anisha Devi Daughter of Haridwar Prasad Bind Resident of Village - Dulahara, P.S.- Chainpur, District - Kaimur at Bhabua.
3. Haridwar Prasad Bind Son of Manohar Prasad Bind Resident of Village - Dulahara, P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-11-2019 Petitioners seek bail in anticipation of their arrest in connection with Chainpur P.S. Case No. 288 of 2019, G.R. No. 1605 of 2019 registered for the offences punishable under Sections 341, 323, 504, 354, 307 34 of the Indian Penal Code.

As per F.I.R petitioners assaulted the informant and his family members and also the deceased. It appears that later on the wife of the informant died.

Submission of the learned counsel for the petitioners is that uptill now Section 302 has not been added in this case and the caused of death could not be ascertained in the postmortem report. Petitioner No. 3 is brother of the informant. There was property dispute between the parties and there is case and counter case between them in which both sides have received injuries.



On the other hand, learned A.P.P. has opposed the bail prayer of the petitioners stating that deceased in his statement given before the police prior to death of assault by petitioners and others however, he has admitted that cause of death could not be ascertained in the postmortem report.

Having heard both sides, considering the above submission, this application allowed. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within three weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Five Thousand) each with two sureties of the like amount to the satisfaction of learned ACJM-II, Kaimur at Bhabua in connection with Chainpur P.S. Case No.-288 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure 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 with further condition that they shall co-operate in the investigation.

(Vinod Kumar Sinha, J)

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