

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74272 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- SAHAR District- Bhojpur

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Sailesh Kumar @ Sailesh Singh @ Shailesh Singh Son of Sailendra Singh
Resident of Village - Muzafarpur, P.S.- Sahar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail
in connection with Sahar P.S. Case No.166 of 2019 registered for
the offence punishable under Section 302/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
Learned counsel submits that no such occurrence as alleged in the
FIR has taken place as no external or internal injury was found on
the person of the deceased which will be evident from the
postmortem report.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case



wherein it is the submission of the petitioner that the alleged occurrence is said to have taken place on 21.06.2019, thereafter the deceased was treated in different hospitals, but during all these periods no FIR was lodged, after death of the deceased at Patna, the dead body was taken to Ara where the postmortem was conducted and thereafter one written report was submitted by the informant who seems to be an illiterate lady and further that the postmortem report, as contained in Annexure-3, does not show any external or internal injury on the head of the deceased, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahar P.S. Case No.166 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing



such facts to the Court or to any Police officer or tamper with the
evidence.

(Rajeev Ranjan Prasad, J)

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