

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2378 of 2019

Arising Out of PS. Case No.-652 Year-2018 Thana- FORBESGANJ District- Araria

1. Bimal Chokhani
2. Anjani Chokhani
Both sons of Shri Hem Narayan Chokhani @ Hemraj Agrwal Chokhani
Resident of Forbeasganj Ward No.11, Station chowk, P.S Forbesganj, District-
Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish
For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 21-02-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Forbeasganj P.S.Case No.652 of 2018 (corresponding to General Registration No.2752 of 2018) instituted on 25.8.2018 registered for offences punishable under Sections 304/34 of the Indian Penal Code.

Allegation against the petitioners is that due to dismantling of his house three persons received injuries and they died.

Submission of the learned counsel for the petitioners is that the house was old and due to that some portion of the same has fallen and the deceased were usually selling *Rakhi* in front of the house so they received injuries and no case is made out



under Section 304 of the IPC rather it is a case under Section 304(A) of the IPC. He has also cited some paragraphs of the case diary.

Heard learned A.P.P. who has opposed the prayer for bail drawing my attention towards para 11 of the case diary. .

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on the basis of materials available on the record and if possible to be disposed of on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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