

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7266 of 2020

Arising Out of PS. Case No.-283 Year-2015 Thana- PURNEA SADAR District- Purnia

1. NIYAJ KHAN @ NIYAJUDDIN S/o Late Abdul Rahman R/o village- Hariprasad, P.S.- Mansahi, District- Katihar
2. Chandan Rishi S/o Shiv Lal Rishi R/o village- Mansahi Bisanpur, P.S.- Mansahi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-02-2020 The petitioners seek regular bail in connection with Sadar P.S. Case No. 283/2015, registered for offences punishable under Section 302/34 of the Indian Penal Code.

Prosecution case is that the dead body of brother of the informant was found, who was a labourer and the informant suspects the hands of these petitioners in his murder.

It has been submitted on behalf of the petitioners that the material collected in course of investigation clearly shows that the deceased had received electric shock while he had gone on roof to keep the towel and the witnesses have also stated so. Further submission is that petitioners have been in custody since 30.10.2019.



Learned counsel for the State opposed the prayer for bail on the ground that though witnesses have stated that the deceased had received electric shock but the postmortem report of he deceased shows that the death was due to throttling leading to asphyxia.

Having heard both sides, in view of the above facts, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Sadar P.S. Case No. 283/2015, subject to the condition that petitioners will cooperate in disposal of trial and make themselves available as and when required by the court below, failing which, the prosecution shall move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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