

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81355 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- CHAORI District- Bhojpur

1. MOHAN SINGH, aged about 59 years, Male, Son of Late Gobardhan Singh, Resident of Village - Dillian, P.S.- Chouri, District- Bhojpur
2. Saroj Singh, aged about 28 years, Male, Son of Mohan Singh, Resident of Village - Dillian, P.S.- Chouri, District- Bhojpur
3. Chotan Singh @ Mithilesh Singh @ Chotan, aged about 24 years, Male, Son of Mohan Singh, Resident of Village - Dillian, P.S.- Chouri, District- Bhojpur
4. Bimlesh Singh, aged about 21 years, Male, Son of Mohan Singh, Resident of Village - Dillian, P.S.- Chouri, District- Bhojpur
5. Babbisan Singh @ Bibhisan Singh, aged about 35 years, Male, Son of Late Gobardhan Singh, Resident of Village - Dillian, P.S.- Chouri, District- Bhojpur ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Amarendra Kumar, Adv.
For the State	:	Mr. Yogendra Kumar, APP
For the Informant	:	Mr. Dharmesh Kumar Srivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 17-06-2020 Heard learned counsel for the petitioners, the learned counsel for the informant and learned Additional Public Prosecutor for the state through video conferencing.

The petitioners seek pre-arrest bail in connection with Chouri P.S. Case No. 127 of 2019, registered under Sections 365 and 302/34 of the Indian Penal Code.

The accusation is that Dharmendra Singh, aged about 30 years, son of the informant, Shiv Kumar Singh, has gone to graze the she buffalo. In the evening Deepak Singh and



Akhilesh Singh were seen moving around his son, Dharmendra Singh, but, his did not return till late night while she buffalo returned to house. On search, no trace was found. Before some days, quarrel had taken place with the petitioners, at that time, they had threatened to kill his son, due to that reason that killed his son, Dharmendra Singh, and threw the dead body in the river.

Submission is that it would appear from the first information report that informant is not the eye witness to the occurrence. After recovery of the dead body of Dharmrendra Singh, son of the informant, from river, on 04.08.2019, which would appear from the inquest report as written in paragraph 2. The informant lodged the present case on the next day disclosing the names of the petitioners as accused mere on suspicion due to quarrel took place between the son of the informant and the petitioners. In post mortem report of the deceased cause of death is shown as asphyxia due to drowning.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Chouri P.S. Case No. 127 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees



ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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

