

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39639 of 2020

Arising Out of PS. Case No.-139 Year-2020 Thana- RIGA District- Sitamarhi

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DHARMENDRA RAI @ DHARMENDRA YADAV Son of Ram Surat rai
Resident of Village - Bhawanipur, Chotahi, P.S.- Riga, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 913 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- RIGA District- Sitamarhi

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NAVEEN RAY S/o Late Rajkishore Ray R/o village- Bhwanipur Chotahi,
P.S.- Riga, District- Sitamadhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 39639 of 2020)

For the Petitioner/s : Mr.Uday Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 2, APP

(In CRIMINAL MISCELLANEOUS No. 913 of 2021)

For the Petitioner/s : Mr.Setu Prateek, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertake to
remove the defects within three weeks of normal functioning of
the court proceeding. In the eventuality of non-removal of
defects within undertaken period, the office will place the matter
before the Bench.

The petitioners seek bail in a case registered for the



offence punishable under Sections 302, 120B of the Indian Penal Code.

Prosecution case as lodged by the informant is that his brother came out from the house and not returned till late night. It is stated that in course of that he received information by the villagers that his brother is in unconscious position at near the boring situated east side of the village. The informant after receiving such information went there and thereafter taken away his brother to Sadar Hospital, Sitamarhi where the doctor declared him dead.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that informant has not seen the actual occurrence and he has lodged the UD case, but after due consultation with legal experts and preparation of false witnesses afresh, written application was filed. He submits that postmortem report of the deceased supports the defence version, since no external or external injury was found on the deceased. He further submits that petitioners bear no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 31.05.2020 and 01.06.2020 respectively.



In the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 139 of 2020.

(Anjani Kumar Sharan, J)

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