

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43905 of 2015

Arising Out of PS.Case No. -143 Year- 2015 Thana -KARGAHAR District- SASARAM (ROHTAS)

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1. Chandra Shekhar Pathak Son of Ram Kishwar Pathak
 2. Chandra Bhusan Pathak Son of Ram Keshwar Pathak
 3. Tej Pratap Pathak Son of Chandra Shekhar Pathak
 4. Girdhar Gopal Pathak Son of Chandra Shekhar Pathak All residents of Village - Bhawadih, P.S. Kargahar, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. T.P.Mandal (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 17-12-2015 Heard both sides.

The petitioners apprehend their arrest in Kargahar P.S. Case No. 143/2015, registered for the offences punishable under Section 306, 201 and 34 of the Indian Penal Code.

The father-in-law of the deceased Ram Pratap Pathak made allegation against grand father, father, uncles, brothers and sister-in-law of the deceased that they were torturing his son-in-law on account of which his son-in-law committed suicide by consuming poison.

Learned counsel for the petitioners submits that no specific allegation is made against any person. The deceased died

on account of illness. He was treated in a hospital.

It is further submitted that on same and similar allegation Arun Pathak, Ram Keshwar Pathak and Mamta Pathak have already been enlarged on anticipatory bail vide order passed in Cr. Misc. 44385/2015 and Cr. Misc. 37437/2015.

Learned counsel for the informant as well as learned A.P.P. however, vehemently opposed the prayer for bail, but could not be able to show that the case of the above-named petitioners is different from the case of other accused persons who have already been granted anticipatory bail.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas in connection with Kargahar P.S. Case No. 143/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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