

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33541 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -GAYA GRP CASE District- GAYA

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Shah Mohammad Ray, Son of Late Jhatku Ray, Resident of Mohalla- Ward
No.(19) P.S. Bhabhua, District- Kaimur, Bhabhua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Mahtab Ahmad

For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 28-08-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 306
of the Indian Penal Code.

The prosecution case is that the brother of
the informant performed marriage with the grand daughter of the
petitioner which was not liked by the father of the informant as a
result he committed suicide by jumping from the running train. It
is also alleged that after the marriage the petitioner tried to grab
the property of the informant.

It is submitted by learned counsel for the
petitioner that there is nothing on the record to suggest that the

son of the victim performed marriage with the grand daughter with the consent of the petitioner and there is no material to suggest that the petitioner made any effort to grab the property. Hence, even assuming the accusation offence under Section 306 of the IPC is not made out and petitioner is a retired public servant.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabhua in connection with Sasaram (Bhabhua) P.S. Case No. 22 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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