

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27201 of 2015

Arising Out of PS.Case No. -33 Year- 2015 Thana -GOVINDPUR District- NAWADA

1. Umesh Yadav Son of Late Bihari Yadav Resident of village - Thali Bazar, Police Station - Govindpur, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.28565 of 2015

Arising Out of PS.Case No. -33 Year- 2015 Thana -GOVINDPUR District- NAWADA

1. Sanjay Yadav @ Sonu Yadav Son of Late Bihari Yadav Resident of Village Thali Bazar, Police Station - Govindpur, District - Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.27201 of 2015)

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

(In Cr.Misc. No.28565 of 2015)

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sunil Kr.Panday(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

5 06-10-2015

Heard both sides.

The petitioners apprehend their arrest in a case under Section 306, 34 of the Indian Penal Code.

The Chowkidar is the informant of the case. The informant alleged that near the dead body of the deceased, Bihari Yadav, a suicide note was found in which it was stated that the petitioners, who happen to be sons of the deceased, partitioned their property and were not looking after their father that is why

Bihari Yadav, the deceased, committed suicide after consuming Celphos.

The learned counsel for the petitioners submits that the so called suicide note was not enquired into nor it was found in the handwriting of the deceased. The wife of deceased filed a petition (annexure-2) that the petitioners were looking after the deceased but the deceased became mentally weak and his dead body was found near a Pipal tree but it appears that there is allegation against the petitioners that they were not looking after their father and that is why the deceased committed suicide. During the course of investigation witnesses Brahmdeo Yadav and Bhagirath Yadav made same and similar statements that the petitioners were neglecting and not properly looking after their father.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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