

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7307 of 2016

Arising Out of PS.Case No. -214 Year- 2015 Thana -MAHNAR District- VAISHALI(HAJIPUR)

- =====
1. Shiv Chandra Singh son of Ram Swaroop Singh
 2. Mithilesh Kumar Singh son of Ram Sagar Singh Both residents of village- Mahindwara, Police Station- Mahnar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar Singh

For the Opposite Party/s : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016 Petitioners being cousin brothers of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 306, 201/34 of the Indian Penal Code.

The prosecution case is that the wife of the informant went to her maternal father's house since her grand mother died but by the time she reached the dead body was taken to the embankment of the river for cremation. She was scolded by the petitioners father and uncles of the informant, as a result she jumped into the river and committed suicide.

It is submitted by learned counsel for the petitioners that informant is the husband of the victim and the present case has been lodged by the informant in order to save his skin from apprehension of being prosecuted in a case under

Section 304B of the Indian Penal Code. The accusation is omnibus and general against the entire family and even assuming the accusation, no offence under Section 306 I.P.C is made out.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 214 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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