

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31209 of 2016

Arising Out of PS.Case No. -706 Year- 2013 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Neeraj Mahto, S/o Kedar Mahto.
2. Satya Narayan Mahto @ Sat Narayan Mahto S/o Dheeran Mahto.
3. Shobha Devi, W/o Sanjay Mahto.
4. Chunchun Devi, W/o Kedar Mahto,
all are Resident of Village- Bishnupur Bachnulal Tola, P.S- Nagar, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 26-09-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Section 306 of the Indian Penal Code.

Diary in this case was called for earlier, which has, since been received.

Learned counsel for the petitioners submits that save and except the speculation, there is no other material on record to indicate that the petitioners were, in fact, responsible for the suicide of the daughter of the informant. It is further submitted that the alleged suicide was committed by the informant's daughter only because these petitioners had been casting aspersion

on her character and had also forcibly entered her house and misbehaved with her.

Learned counsel appearing on behalf of the State after perusal of the materials on record submits that one other witness has stated that the victim girl was alone in the house at the time of occurrence. However, the First Information Report indicates otherwise.

Considering the direct contradiction in the First Information Report and the statement of the independent witness, it appears that the present petitioners, being neighbours, have been roped in on mere speculation.

In view of the aforementioned facts and circumstances, let the petitioners above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Nagar P.S. Case No. 706/2013, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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