

Arising Out of PS.Case No. -98 Year- 2016 Thana -DUMRAUN District- BUXAR

Versus

Appearance :

Learned counsel for the petitioners has submitted that there is apparent delay of nearly a fortnight in lodging of the First Information Report since, as per the F.I.R., the



occurrence had taken place on 28.3.2016 and the F.I.R. came to be lodged on 13.4.2016. He has submitted that no offence under section 304 of the Indian Penal Code is made out in the facts and circumstances of the case and contends that the informant and the deceased were made accused in a case being Dumraon P.S.Case No. 86/2016 registered on the basis of the written report of petitioner no.4. The informant and the deceased, both were arrested in connection with the said case. Thereafter, as the deceased died of natural death, the present case has been lodged maliciously.

Considering the facts and circumstances and the submissions so advanced, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released 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 Chief Judicial Magistrate, Buxar in connection with Dumraon P.S.Case No. 98/2016, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/ Court, as the case

may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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