

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42636 of 2016

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1. Anil Singh @ Gabbar Singh @ Gabbar S/o late Sur Shekhar Singh
2. Neeraj Singh @ Neeraj Kumar @ Kari Singh S/o Anil Singh @ Gabbar
Singh @ Gabbar Both 1 & 2 are residents of vill. - Matihani, P.S. -
Matihani, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 24-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of
Maithani P.S. Case No. 135 of 2015, disclosing offences under
Sections 385 and 306/34 of the Indian Penal Code.

It is alleged against the accused persons that because of
certain disputes between them and the informant's brother-in-law
over the use of a piece of land for business purpose, the
informant's brother-in-law committed suicide.

Learned counsel for the petitioner, has submitted that no
offence under Section 306 of the Indian Penal Code, is made out
on the basis of what has been alleged in the First Information
Report, for the reason that there is no allegation of any abetment

against the petitioners.

I find substance in the submissions advanced on behalf of the petitioner and, accordingly, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai, in connection with Maithani P.S. Case No. 135 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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