

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42984 of 2016

Arising Out of PS.Case No. -116 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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1. Vikash Kumar, Son of Rajendra Sao @ Burha Sao@ Rajendra Verma
2. Bablu @ Bablu Shaw son of Rajendra Sao @ Burha Sao @ Rajendra Verma Both residents of Village- Gangasari, P.S.- Barahiya, District- Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 24-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Barahiya P.S. Case No. 116 of 2016, disclosing offences under Sections 306/34 of the Indian Penal Code.

The petitioners are brothers of the deceased. Mother of the deceased is the informant. The deceased is said to have committed suicide because the petitioners had objection against her talking on cell phone to someone, related to her.

Learned counsel, appearing on behalf of the petitioners, has submitted that even if the allegation made in the First Information are treated to be true, no case of abatement within the meaning of Section 107 of the Indian Penal Code, is made out.

There is no allegation that the petitioners allowed or facilitated the deceased to commit suicide.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of thier 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Barahiya P.S. Case No. 116 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themeselves 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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