

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44727 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -NARPATGANJ District-
ARRARIA

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1. Hardev Ram @ Haridev Ram, son of Bangali Ram,
resident of Village- Gokhalpur, Police Station- Narpatganj,
District- Araria.

2. Julkar Nain Ansari @ Mastan @ Julfar Nain Ansari, son of
Late Nasruddin Ansari, resident of Village- Gokhalapur,
Police Station- Narpatganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Rajkishore Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 28-10-2016 Heard the parties.

This application, for grant of anticipatory bail,
arises out of Narpatganj P.S. Case No. 30 of 2016, disclosing
offences under Sections 304/34 of the Indian Penal Code.

It is alleged that petitioner No. 2 hit on the
scrotum of the deceased, who was raising grievance against
not fetching her daughter the mid-day meal and for beating

her in the school. The accused persons including the petitioners are teachers of a Primary School, Gokhlapur, in the district of Araria.

Learned counsel for the petitioners has submitted that as a matter of fact, the deceased died of illness in his house and the petitioners have been falsely implicated in this case for ulterior reasons. He has also submitted that the *post-mortem* report of the deceased does not support the allegations made in the First Information Report.

Learned Additional Public Prosecutor, appearing on behalf of the State of Bihar, has opposed the prayer for bail and has submitted that in the light of seriousness of the allegations, made in the First Information Report, the petitioners do not deserve anticipatory bail.

However, considering the submission, as above, and the fact that the petitioners are working as teachers and there is no likelihood that they will be fleeing from the course of investigation or trial, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief**

Judicial Magistrate, Araria, in connection with **Narpatganj P.S. Case No. 30 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 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.)

Praveen-II/-c

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