

Criminal Miscellaneous No.285 of 2016

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- All are sons of Late Sita Saw, resident of Bakhtiarapur, P.S.-
Bakhtiarapur, District- Patna.

Versus

- Opposite Party/s

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For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Adv.
Mr. Anuj Kumar, Adv.

ORAL ORDER

This application, for grant of anticipatory bail, arises out of Bakhtiyarpur P.S. Case No.174 of 2015, disclosing offences under Sections 302, 328 and 120B of the Indian Penal Code.

The petitioners are full brothers and sons of late Sita Saw. It appears from the material available on the record that the mother of the petitioners had two marriages. The informant of the present case is the wife of the deceased, who was son of the other husband of the mother of these petitioners.

Learned senior counsel, appearing on behalf of the petitioners, has submitted, referring to the First Information Report, that these petitioners have been named in the First Information Report merely on the basis of suspicion. He has further submitted that even in course of investigation no material, other than the said suspicion, has been collected against these petitioners.

Nothing has been shown to me from the case diary on the basis of which, it can be said that there is some material collected in course of investigation, showing involvement of these petitioners in commission of the offence.

Considering the facts and circumstances, this application is allowed. Let the petitioner Nos.1 to 3, abovenamed, 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 Additional Chief Judicial Magistrate, Barh**, in connection with **Bakhtiyarpur P.S. Case No.174 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 petitioners, abovenamed, 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/-

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