

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54127 of 2016

Arising Out of PS.Case No. -269 Year- 2016 Thana -GOPALGANJ CITY District- GOPALGANJ

- =====
1. Munna Mahto @ Munna Chauhan
 2. Sunil Chauhan, Both sons of late Jagdhari Chauhan, Both resident of Village- Nonia Toli, Purani Chauk, P.S. Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-01-2017 It is submitted that petitioner no.1, namely, Munna Mahto @ Munna Chauhan has been arrested and as such prayer has been made to withdraw the Criminal Miscellaneous against petitioner no.1.

Accordingly, this Criminal Miscellaneous against petitioner no.1 is dismissed as withdrawn.

Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner no.2 apprehends his arrest in connection with Gopalganj P.S. Case No. 269 of 2016 for the offences punishable under sections 304 B and 34 of the I.P.C.



The petitioner no.2 is Devar. It is submitted that there is no specific allegation against petitioner no.2. He is living separately since long at Gopalganj having no concern with the deceased or her husband, the husband is already in custody, in the postmortem report it has come that the deceased died by Asphyxia due to hanging, no injury has been caused on the person of the deceased which goes to support that in fact the deceased committed suicide due to differences with her husband and as such the petitioner no.2 deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner no.2 is also named in the First Information Report but there is no specific allegation against him.

In the facts and circumstances as stated above, the petitioner no.2, namely, Sunil Chauhan, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Gopalganj in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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