

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16191 of 2017

Arising Out of PS.Case No. -155 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

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Rakesh Kumar Singh, Son of Jagat Singh, Resident of Village- Chanka,
P.S.- Nokha, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Om Prakash Upadhyay, Advocate.

For the Opposite Party : Mr. Matloob Rab, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-04-2017 Heard both sides.

The petitioner apprehends his arrest in Nokha P.S. Case No. 155 of 2016 registered for the offences punishable under Sections 306 and 34 of the Indian Penal Code.

The informant alleged that on 18.06.2016 her brother-in-law Rakesh Kumar Singh, Mira Devi wife of Rakesh Kumar Singh, Gita Devi wife of Raju Singh, and Hardeo Singh father-in-law of Rakesh Kumar Singh assaulted her husband Niraj Kumar Singh. The husband of the informant on being humiliated consumed poison and died.

Learned counsel for the petitioner submits that the petitioner is own brother of the deceased. No occurrence as alleged by the informant has taken place. The deceased, himself, consumed poison without any provocation. Similarly situated co-accused persons namely Meera Kumari @ Mira Devi and others have already been granted



anticipatory bail vide order dated 14.02.2017 passed in Cr. Misc. No. 3684 of 2017. The case of the petitioner stands on the same footing.

It appears that the informant alleged that the petitioner and others assaulted her husband on account of partition of property. Same and similar allegation is made against other accused persons who have already been enlarged on anticipatory bail.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Vth, Sasaram in Nokha P.S. Case No. 155 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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