

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3805 of 2017

Arising Out of PS.Case No. -53 Year- 2013 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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1. Md. Ghassu S/o Md. Karim null
2. Md. Teju, S/o Md. Ghassu
3. Md. Vakil, S/o Md.Ghassu, R/o -Vill Panhesa, P.S.- Nalanda, District-
Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 Heard the parties.

This application has been filed in connection with Nalanda
P.S.Case No.53 of 2013 for the offence under Sections 326, 307,
504/34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that earlier a case
had been lodged under Sections 307/ 320 and other Sections of the
Indian Penal Code but later on the charge sheet was submitted
against the petitioners under Section 306/34 of the Indian Penal
Code and as the matter of fact there was love affair between Md.
Jahangir and the deceased and thereafter on failure of love, the
deceased has committed suicide by setting her afire. The petitioner
no.1 is father and petitioner nos. 2 and 3 are brothers of Md.
Jahangir. Except the aforesaid facts, there is nothing against the
petitioners.

Heard learned A.P.P. also.



Having heard both sides. In view of the fact that the petitioner no.1 is father and petitioner nos. 2 and 3 are brothers of Md. Jahangir and the charge-sheet has been submitted under Section 306/34 of the Indian Penal Code and the co-accused has already been granted bail by this Court, vide order dated 28.01.2015 passed in Cr. Misc. No.35527 of 2014, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif in connection with Nalanda P.S.Case No.53 of 2013.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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