

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76196 of 2018

Arising Out of PS. Case No.-180 Year-2017 Thana- KASIMBAZAR District- Munger

1. Bahadur Mahto s/o Late Chattar Mahto
2. Nanbatiya Devi,
Wife of Bahadur Mahto,
Both are resident of Village P.S. Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv.
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-03-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest for the offence alleged under Section 306 Indian Penal Code registered in connection with Kasim Bazar P.S. Case No. 180/2017.

3. It is submitted that the petitioners have been falsely implicated and no overt act has been alleged against the petitioners which indicate their involvement in abatement of suicide committed by the husband of the informant. It is further submitted that the ingredients of Section 306 I.P.C are not attracted. Deceased committed suicide of his own accord. Petitioners claim clean antecedents.



4. Learned A.P.P. submitted on the basis of postmortem report in the case diary that the opinion with respect to cause of death has been kept reserved.

5. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the abovenamed petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 180/2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioners shall remain personally present in



Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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