

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42018 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- DEO District- Aurangabad

1. Rajballabh Tiwari @ Raj Balam Tiwari Son Of Late Chandu Tiwari Resident Of Village - Sarkr, P.S.- Deo, Distt.- Aurangabad.
2. Saraswati Devi W/O Rajballabh Tiwari @ Raj Balam Tiwari Resident Of Village - Sarkr, P.S.- Deo, Distt.- Aurangabad.
3. Sanju Devi W/O Rahul Pandey Resident Of Village - Sarkr, P.S.- Deo, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-12-2021 Let the defects, if any, be removed within four weeks after complete start of the physical Court.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 306/34 of the Indian Penal Code.

Husband of the informant committed suicide by swallowing celphos. The petitioners are parents and younger sister of the husband.

Allegation is that since the petitioners used to quarrel with the informant and her husband, the husband of the informant was in depression and committed suicide.



Submission is that there is no evidence that the suicide was result of abetment by the petitioners. Hence, offence under Section 306 of the Indian Penal Code is not attracted against the petitioners.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Finding substance in the submission aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Deo Police Station Case No.18 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

The petitioners shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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