

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28220 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- LALGANJ District- Vaishali

1. Buttan Rai @ Butan Rai, Son Of Late Jadunandan Rai Resident Of Village-Sararia, Police Station-Lalganj, District-Vaishali At Hajipur
2. Sobha Devi, Wife Of Buttan Rai @ Butain Rai Resident Of Village-Sararia, Police Station-Lalganj, District-Vaishali At Hajipur
3. Geeta Devi @ Gita Devi, Wife Of Ravi Rai Resident Of Village-Barua, Police Station-Bidupur, District-Vaishali At Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
306/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioner nos.1 and 2 have antecedent of one case and
petitioner no.3 is a person with clean antecedent. It is next
submitted that petitioner nos.1 and 2 are parents of the deceased
and petitioner no.3 is sister of the deceased. It is further
submitted that the F.I.R. has been instituted by the daughter in-



law of the petitioner nos.1 and 2 alleging that since the petitioner nos.1 and 2 were not willing to give share in the ancestral property to the deceased, as such, he committed suicide.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged, it would manifest that the deceased committed suicide since he was denied any share in the ancestral property or for some other reason is not clear. It is further submitted that if the petitioner no.1 was not willing to give any share in the ancestral property to the deceased, then deceased had remedies available in law of getting his share by filing a Partition Suit and if the property was personal property, then in that event, petitioner no.1 had the choice of parting with his property in the manner, he wished.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Vaishali at Hajipur in connection with Lalganj P. S.
Case No.26 of 2023, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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