

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37192 of 2014

Arising Out of PS.Case No. -272 Year- 2013 Thana -JAMUI District- JAMUI

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1. Maya Devi wife of Indradeo Pandey
2. Bikash Pandey
3. Abdhesh Pandey @ Abdesh Pandey
4. Suresh Pandey
All sons of Indradeo Pandey
All are resident of village Padmawat, P.S. Jamui, District Jamui
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-02-2015 Heard learned counsel for the petitioners and Sri Atul Chandra, learned Additional Public Prosecutor.

Four petitioners, invoking jurisdiction of this court under Section 438 of the Code of Criminal Procedure, have prayed for grant of bail in the event of their arrest or surrender in connection with Jamui P.S. Case No. 272 of 2013 registered for the offence under Sections 323, 498, 304B, 201, 150 and 364 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

The F.I.R. was lodged on the basis of a complaint filed by the father of the so-called deceased girl vide Complaint Case No.1315C of 2013, which was referred to police under Section

156 (3) of the Cr.P.C. and thereafter, F.I.R. has been lodged.

Learned counsel for the petitioners submits that prior to lodging of this F.I.R. the petitioner no. 1, who is mother –in- law of the daughter of the informant of the present case had lodged an information to the Officer - In –Charge, Jamui Police Station regarding missing of her daughter- in- law and as such, an F.I.R vide Jamui P.S. Case No. 243 of 2013 was registered for the offence under Section 366 of the Indian Penal Code.

Learned counsel for the petitioners submits that in the case which was registered on the information given by petitioner no. 1, during investigation some material has been collected which suggests that daughter- in- law of the petitioner no. 1 had fled away with other person. The fact regarding lodging of F.I.R. by the petitioner no. 1 has been discussed in the order rejecting anticipatory bail petition by the learned Sessions Judge, Jamui.

In view of the facts and circumstances, particularly the fact that investigation in Jamui P.S. Case No. 272 of 2013 is still continuing and the fact that prior to lodging of this F.I.R., an F.I.R. was lodged as per the instance of petitioner no. 1, the court is of the opinion that it would be appropriate to extend the privilege of bail during investigation of the present case, and as such, **petitioner no. 1 to 4 namely Maya Devi, Bikash Pandey,**

Abdhesh Pandey @ Abdesh Pandey and Suresh Pandey are directed to be released on bail in the event of their arrest or surrender within a period of eight weeks from today on furnishing bail bonds of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 272 of 2013.

It is made clear that if during investigation in the present case material is collected showing involvement of the petitioners and charge sheet is submitted against petitioners, the privilege granted by this court shall come to an end, and thereafter, the petitioners may surrender and pray for regular bail.

(Rakesh Kumar, J)

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