

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31893 of 2015

Arising Out of PS.Case No. -290 Year- 2015 Thana -KHAZANIHAT District- PURNIA

1. Meena Devi, Wife of Late Nityanand Chaudhary, R/o village - Tetari, P.S. - Naugachhiya, District – Bhagalpur, at Present R/o Mohalla - Shastri Nagar, P.S. - K. Hat, District – Purnia.

2. Vikash Kumar @ Binod Thakur.

3. Pramod Kumar @ Pramod Kumar Thakur, Both S/o Late Ram Bahadur Thakur, Both R/o Mohalla - Janta, P.S. - Gaighat, District – Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr. Adv.
Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-08-2015 Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of K. Hat (Madhubani) P.S. Case No. 290 of 2015, disclosing offences under Sections 302, 201 and 120(B)/34 of the Indian Penal Code.

Learned senior counsel appearing on behalf of the

petitioners has submitted that no case under Section 302 of the Indian Penal Code is made out, on the basis of allegations contained in the First Information Report, against these petitioners. The petitioner no. 1 is the mother-in-law of the deceased, whereas, the petitioner nos. 2 and 3 are maternal uncles of the husband of the deceased. The deceased was married to the son of petitioner no. 1 in the year 1998, as per the First Information Report.

I find force in submission made on behalf of the petitioners that no *prima facie* case under Section 302 of the Indian Penal Code, on the basis of allegations, as contained in the First Information Report, is made out against these petitioners.

Keeping in view the facts and circumstances of the case, this application is allowed. Let the petitioner nos. 1, 2 and 3, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Purnia** in connection with **K. Hat (Madhubani) P.S. Case No. 290 of 2015**, subject to the

condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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