

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35704 of 2014**

Arising Out of PS.Case No. -145 Year- 2013 Thana -NAWINAGAR District- AURANGABAD

1. Mritunjay Pandey Son of Mangla Pandey  
2. Mangla Pandey Son of Nathuni Pandey  
3. Dharmawati Devi Wife of Mangla Pandey  
All are resident of village- Pokhrahi, P.O.- Bettiah, P.S.- Nabinagar,  
District- Aurangabad

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ashraf Ansari(App)

**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      27-03-2015                      Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under sections 302, 201/34 of the Indian Penal Code while this Court is not inclined to grant anticipatory bail to petitioner no.1, Mritunjay Pandey, as he is said to have killed his wife alongwith others but then taking the age of petitioners no. 2 and 3, Mangla Pandey and Dharmawati Devi, father-in-law and mother-in-law of the deceased lady, this Court would direct that if petitioners no. 2 and 3, namely, Mangla Pandey and Dharmawati Devi, surrender in the court below within a period of four weeks from today, they shall 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 Chief

Judicial Magistrate, Aurangabad in Nabinagar P.S.Case No. 145/2013, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on

this ground alone.

The prayer for anticipatory bail of petitioner no.1, Mritunjay Pandey, is rejected and he may surrender and seek regular bail.

**(Mihir Kumar Jha, J)**

surendra/-

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