

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10326 of 2015

Arising Out of PS.Case No. -229 Year- 2014 Thana -KATORIA District- BANKA

1. Pairu Das Son of Nuneshwar Das,
2. Nuneshwar Das Son of Late Itwari Das
3. Karu Das Son of Nuneshwar Das
4. Mangar Das Son of Nuneshwar Das
5. Ganesh Das Son of Sadhu Das All resident of village - Tulsibaran, P.S. -
Katoria, District - Banka. Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr. Shardanand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

5 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 Katoria P.S. Case No. 229 of 2014, disclosing offences
under Sections 302/34 of the Indian Penal Code.

The deceased was married to one Samar Das nearly
12 years prior to institution of First Information Report. Petitioner
nos. 1, 3 and 4 are the brothers of the husband of the deceased,
whereas petitioner no. 2 is the father-in-law of the deceased.
Petitioner no. 5 is said to be a family friend of the petitioners.
Father of the deceased is the informant.

Learned counsel appearing on behalf of the petitioners
has submitted that no offence is made out under Section 302 of the

Indian Penal Code on the basis of allegation made in the First Information Report against the petitioners and their involvement is merely on the basis of suspicion.

Keeping in view the nature of allegation, I am inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, this application is allowed. Let the petitioners, above-named, 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 Judicial Magistrate 1st Class, Banka in connection with Katoria P.S. Case No. 229 of 2014, 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.)

Vats/-

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