

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16392 of 2015

Arising Out of PS.Case No. -24 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN (MOTIHARI)

- =====
1. Shambhu Nath Pathak, son of Basdeo Pathak,
 2. Alok Ranjan @Alok Ranjan Pathak,
 3. Rajev Ranjan Pathak, both sons of Shambhu Nath Pathak,
 4. Mamta, daughter of Shambhu Nath Pathak, all resident of Mohalla-
Chandmari, P.S. - Motihari, Town, district- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Alpana Kumari, daughter of Kashinath Tiwary, resident of village-
Chaita, Babhan Tola, P.S.-Pakaridayal, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4/ 07-10-2015

Petitioner No.4, Mamta, has already been granted

anticipatory bail by order dated 28.05.2015.

Heard learned counsel for rest of the Petitioners and
the State.

The Petitioners apprehend their arrest in a case
instituted for the offence under Section(s) 376 Indian Penal Code
and Section 4 of the Dowry Prohibition Act.

In the nature of dispute between the parties, notice
had been issued to the Opposite Party No.2 but none appears on
her behalf.

In view of nature of allegation and the background
facts, it is ordered that in the event of surrender/arrest of the

Petitioner Nos.1 to 3, named above, within four weeks from the date of receipt/production of a copy of this order in connection with Motihari Town P.S. Case No.24 of 2014, they shall be released on anticipatory bail on furnishing bail bond of ₹5,000/- (five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) Cr. P. C. and (i) That one of the bailors will be a close relative of the Petitioners, who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailors will undertake to furnish information to the court about any change in the address of the Petitioners, (ii) That the Petitioners will give an undertaking that they will receive the police papers on the given date and be present on 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, and (iii) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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