

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40527 of 2014

Arising Out of PS.Case No. -108 Year- 2013 Thana -PHULWARI District- PATNA

- =====
1. Veena Singh @ Veena Devi W/o Vishwanath Singh
 2. Vishwanath Singh S/o Late Anup Singh
 3. Nirbhay S/o Vishwanath Singh
 4. Jyoti D/o Vishwanath singh All resident of village and P.O.- Baidrabad, P.S.- Arwal, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

with

Criminal Miscellaneous No.41397 of 2014

Arising Out of PS.Case No. -108 Year- 2013 Thana -PHULWARI District- PATNA

- =====
1. Sanjay Kumar S/o - Vishwanath Singh Resident of Village and P.O. - Baidrabad, P.S. - Arwal, Distt. - Arwal.

.... Petitioner/s

Versus

1. The State of Bihar
2. Adit W/o - Sanjay Kumar Resident of Village and P.O. - Baidrabad, P.S. - Arwal, Distt. - Arwal at Present, D/o - Arun Kumar, Dharmkanta Gali, Shastri Nagar, P.S. - Kasim Bazar, Munger.

.... Opposite Party/s

=====

Appearance :

(In Cr.Misc. No.40527 of 2014)

For the Petitioner/s : Mr. Bal Bhushan Choudhary,Advocate

For the Opposite Party/s : APP

(In Cr.Misc. No.41397 of 2014)

For the Petitioner/s : Mr. Bal Bhushan Choudhary,Advocate

For the Opposite Party/s : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioners and

learned APP for the State.



2. It is submitted that petitioner no.1 in Cr. Misc. No.40527 of 2014, namely, Veena Singh @ Veena Devi has recently died and as such the anticipatory bail petition has become infructuous as far as petitioner no. 1 is concerned, as such her name may be deleted the from the array of parties.

3. The petitioner nos. 2, 3 and 4 in Cr. Misc. No. 40527 of 2014 and the petitioner in Cr. Misc. No. 41397 of 2014 apprehend their arrest for the offences alleged under Sections 498A/34 IPC and Sections 3 and 4 of the D.P. Act registered in connection with Fulwari P.S. Case No. 108 of 2013.

4. It is submitted that petitioner nos. 2, 3 and 4 in Cr. Misc. No. 40527 of 2014 being the father-in-law, brother-in-law and sister-in-law of the informant and petitioner in Cr. Misc. No. 41397 of 2014, being the husband of the informant have been falsely implicated. Even according to the written statement the informant had intended to file a 'sanha' and did not wish to institute any case against the aforesaid petitioners. It is further submitted that there is no medical document to support the accusation of assault. The petitioners claim clean antecedents.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Jyoti Prakash, learned J.M.Ist Class, Patna, in connection with Fulwari P.S. Case No. 108 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

.

(Vikash Jain, J)

Chandran

U		T	
---	--	---	--