

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41616 of 2016

Arising Out of PS.Case No. -40 Year- 2014 Thana -HATHAURI District- MUZAFFARPUR

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1. Hazari Sahni, Son of late Rupan Sahni
2. Pano Devi, wife of Hazari Sahni Both are residents of Village - Kothiyan,
P.S. - Hathauri, District - Muzaffarpur. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Sri Nagendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-09-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sessions Trial No. 518 of 2015 arising out of Hathauri P.S. Case No. 40 of 2014, disclosing offences under Sections 302, 201 and 120B of the Indian Penal Code.

A complaint petition filed by the mother of the deceased is the basis for registration of the present First Information Report under Section 156(3) of the Code of Criminal Procedure. Petitioner No. 1 is the uncle of the husband of the deceased and upon completion of investigation, the Police submitted final form whereby the petitioners have not been sent up for trial.

It has been submitted that differing with the conclusion of the Police, learned court below has taken cognizance and

submitted summonses against these petitioners also.

Considering the above submissions and the facts and circumstances of the case, 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 2nd Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial No. 518 of 2015 arising out of Hathauri P.S. Case No. 40 of 2014, subject to the conditions as 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 be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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