

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9358 of 2016

Arising Out of PS.Case No. -282 Year- 2008 Thana -TAJPUR District- SAMASTIPUR

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1. Sita Devi wife of Late Shiv Balak Ray, resident of Village- Rariyahi, P.S.- Tajpur (Halai), District- Samastipur.
 2. Nitish Kumar @ Pranay Kumar, Son of Sri Surendra Ray, resident of Village- Rariyahi, P.S.- Tajpur (Halai), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. NIKESH KUMAR

For the Opposite Party/s : Mr. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners being grand mother and brother of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B,201 and 120B of the Indian Penal Code.

The prosecution case is of killing the daughter of the informant after five years of marriage for non fulfillment of dowry demands. The petitioners were named in the FIR but on conclusion of investigation they were not sent up for trial and final form was submitted when others were chargesheeted. During the course of investigation the

petitioners have been summoned in exercise of power under section 319 Cr.P.C. vide order dated 3.12.2015.

It is submitted by the learned counsel for the petitioners that the accusation against the petitioners is omnibus and general. On conclusion of investigation the petitioners were not sent up for trial. The impugned order does not reflect the discussion of evidence which persuaded the learned trial court to exercise jurisdiction under section 319 Cr.P.C. The petitioners undertake to appear regularly before the learned trial court.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VI, Samastipur, in connection with Tajpur (Halai) P.S. Case No. 282 of 2008 (S.T. No. 64 of 2009) subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below shall be at liberty to cancel the bail bonds of the petitioners in case they default



without any reasonable cause on three consecutive occasions.

(Dinesh Kumar Singh, J)

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