

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21165 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -MAHESHKHUNT District- KHAGARIA

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1. Geeta Devi wife of Rama Kant Singh
2. Rekha Devi wife of Mirtunjay Singh
Both resident of village- Patla, P.S. Mahesh Khut, District- Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate
For the Opposite Party/s : Mr. Manish Kumar No.2, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-05-2016

Heard the parties.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 304B and 201/34 of the Indian Penal Code.

The learned counsel appearing on behalf of the petitioners submits that petitioner no.1 is the mother-in-law and petitioner no.2 is the sister-in-law (Gotani) of the deceased. He further submits that the husband of the deceased Bhola Kumar Singh is already in judicial custody, as has been asserted in paragraph 13 of present anticipatory bail application.

Taking into consideration the aforesaid submissions, particularly, that the main culprit, husband of the deceased, is already behind bars, this Court is inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail.

In the event of their arrest or surrender in the court below within a period of four weeks from today, let the above named petitioners be released on bail on furnishing bail bonds of Rs.25,000/-(Rupees twenty five thousand) each with two sureties

of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Maheshkhunt P.S.Case No. 21 of 2016, subject to the conditions laid down under Section 438 (2) of the Cr.P.C. and subject to the further conditions that :

(A) one of the bailors of each petitioners must be a government servant or close family member of the petitioners, who will file an affidavit in the court below showing their relationship with the petitioners,

(B) if the petitioners are found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail bonds of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Prasad Verma, J)

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