

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48112 of 2016

Arising Out of PS.Case No. -208 Year- 2012 Thana -JOKIHAT District- ARRARIA

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1. Keshar Lal Biswas, Son of Late Bagdhu Biswas.
2. Bina Devi alias Urmila Devi W/o Keshar Lal Biswas Both residents of
Village Bajitpur, P.S. Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh

For the Opposite Party/s : Mrs.. Gulnar Begam, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 15-12-2016 Heard Mrs. Verma for the petitioners and Mrs. Gulnar Begum, APP for the State.

Apprehending their arrest in Jokihat P.S. Case No. 208 of 2012 registered under sections 304(B)/34 of the Indian Penal Code, the petitioners have prayed for grant of anticipatory bail.

The father lodged the case that his daughter was married with co-accused Subhas Kumar Biswas several years ago which produced one sibling also. It is alleged that for non-fufiment of the demand of dowry, she was tortured and assaulted even when she was pregnant which ultimately resulted in her death.

Contention of the petitioners is that on investigation, Police found the case true against the accused husband and did not send the petitioners up for trial. Differing with the report, the learned Magistrate took the cognizance in April, 2016 and hence the



apprehension.

A copy of the order dated 28.11.2016 passed in Cr. Misc. 50519 of 2016 has been handed in by the petitioner wherefrom it appears that other co-accused, except the husband, have been granted the privilege of anticipatory bail. The said order is retained on the file marked 'X' for identification.

Considering the aforesaid fact, I am persuaded to extend the petitioners the privilege of anticipatory bail. In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Araria in Jokihat (Mahalgaon) P.S. Case No. 208 of 2012 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in



accordance with law.

(Kishore Kumar Mandal, J)

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