

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47864 of 2015

Arising Out of PS.Case No. -305 Year- 2015 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Brahamadeo Yadav son of Sri Ghutar Yadav
2. Lalita Devi wife of Sri Brahamadeo Yadav, both are resident of village -
Dhoi Navtoli, P.S. Sadar, District – Darbhanga Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr. R.B.Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 29-01-2016 Heard the parties.

The petitioners, who are father-in-law and mother-in-law respectively of the deceased, apprehend their arrest in a criminal prosecution registered under Section 304B/34 of the Indian Penal Code.

Though, the petitioners are named in the first information report vide Annexure-1 as accused, but taking into consideration the fact that the informant has filed an application in the court below, which has been brought on the record as Annexure-2 to the supplementary affidavit filed today in the court, wherein he has given a complete go-by to the entire prosecution version, the prayer for grant of anticipatory bail made on behalf of the petitioners is allowed.

Let the petitioners namely, Brahamadeo Yadav and Lalita Devi, in the event of their arrest or surrender in the court below within a period of four weeks from today, be enlarged 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, Darbhanga in

connection with Sadar P.S.Case No. 305 of 2015, 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 must be 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 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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