

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45740 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Girija Khatoon, W/o Dh. Mahangu Gaddi,
2. Sabra Khatoon W/o Zaimuddin Gaddi, Both are R/o Village- Mujauna,
P.S.- Gopalpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shanti Khatoon D/o Lal Bahadur Gaddi, R/o Village- Dakati, P.S.-
Gopalpur, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Yogendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Gopalpur P.S. Case No.
26 of 2017 instituted for the offence under Sections-304B, 120B of the
Indian Penal Code.

It has been submitted that husband of the deceased is
already in custody. Petitioners are mother-in-law and Gotani of the
deceased.

It is alleged in the written report that husband of the
deceased has developed illicit relationship with petitioner No. 2 which
was opposed by daughter of the informant (since deceased) on account
of which, she was done to death by the accused persons.

It has been submitted on behalf of petitioners that no



complaint was ever made about the illicit relationship between husband of the deceased and petitioner No. 2 during lifetime of the deceased.

There is general and omnibus allegation against the petitioners. Both petitioners are ladies.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Gopalpur P.S. Case No. 26 of 2017 to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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