

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12165 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Habib Miyan, son of Late Botu Miyan,
2. Salaeya Khatoon, wife of Bhanudin Ansari, Both resident of Village-
Ramnagar, P.S.- Harisidhi, Dist- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-04-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Harsidhi P.S.

Case No. 269 of 2016 instituted for the offence under Sections-
302/201/34 of the Indian Penal Code.

There is allegation in the written report that co-accused,
Mahboob and Mansoor took the husband of the informant for
work. Thereafter, the informant received information through
Choukidar that dead body of the husband is lying in bush near
Ramnagar Nahar. The informant has raised suspicion against these
petitioners of committing murder of her husband along with co-
accused, Mahboob and Mansoor by throttling.

Learned APP has submitted referring to para-6 of the



C.D. that witnesses have stated the name of these petitioners as they had been taking dead body of the husband of the informant in Nahar.

There is mere suspicion against these petitioners. In paragraph-3, it has been mentioned that petitioners have no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Harsidhi P.S. Case No. 269 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran 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) petitioner 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 tamper 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)

A.K.V./-

U		T	
---	--	---	--

