

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40031 of 2017

Arising Out of PS.Case No. -129 Year- 2017 Thana -DARIYAPUR District- SARAN

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1. Wakil Mia Son of Late Abdul amir Hassan
2. Sitara Khatoon Wife of Wakil Mia Both are Resident of Village-
Badhamua, Police Station- Dariyapur, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioners. None appears for
State.

The petitioners apprehend arrest in Dariyarpur P.S. Case
No. 129 of 2017 instituted for the offence under Sections-304B/34 of
the Indian Penal Code.

It has been submitted that petitioners are father-in-law and
mother-in-law of the deceased.

As per written report, on 24-05-2017, the husband of the
deceased had come to house of the informant and gave threat to kill
daughter of the informant. Thereafter, the informant received telephone
call from this petitioner that her daughter is ill and, thereafter, the
informant reached the Sasural of her daughter and found the dead body
of her daughter on Chowki. It is further alleged that all the accused
persons have killed informant's daughter by administering her poison.

It has been submitted that this petitioner has no concern



with the affairs of husband and wife. He has further submitted that the informant has stated the cause of death as poisoning but in the postmortem report, the doctor has found that death was caused due to throttling. It has been submitted that husband of the deceased is in custody.

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 in Dariyarpur P.S. Case No. 129 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-iV, Saran at Chapra 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 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)

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