

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4796 of 2017

Arising Out of PS.Case No. -392 Year- 2016 Thana -NAWADA District- NAWADA

- =====
1. Arjun Singh, Son of Late Chamari Singh.
 2. Manorama Devi, Wife of Sri Arjun Singh.
 3. Rani @ Rekha Devi, Wife of Sri Ajit Kumar.
 4. Priti Kumari @ Priti Kumar @ Priyanshu Kumari, minor daughter of Sri Sujit Kumar, through her father and natural guardian Sri Sujit Kumar, Son of Sri Arjun Singh.
 5. Ajit Kumar,
 6. Vikram Kumar, Both sons of Sri Arjun Singh, All residents of Village Aanti, P.O. Kadirganj, P.S. Kadirganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 Heard the parties.

This application has been filed in connection with Nawada (Town) P.S.Case No.392 of 2016 (Corresponding to G.R.No.1934 of 2016) for the offence under Sections 304-B, 468, 120(B) and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that petitioner no.1 father-in-law and the petitioner no.2 is mother-in-law, petitioner no.3 is 'Gotani', petitioner no.4 is minor daughter and petitioner nos. 5 & 6 are 'Dewar'.

At the very outset, the learned counsel for the petitioners



seeks permission to withdraw this application against petitioner no.4 as she is minor.

So far petitioner nos.1 and 2 are concerned, there is no specific allegation against them, as they are father-in-law and mother-in-law of the deceased and as a matter of fact, the petitioner nos. 3, 5 and 6 are concerned, they have nothing to do with the family affairs of the husband of the deceased as petitioner no.3 is '*Gotani*' and petitioner no.5 & 6 are '*Dewar*'

Heard learned A.P.P. also, who has opposed the prayer for bail stating that the case is at the stage of investigation.

Having heard both sides. In view of the fact that petitioner no.3 is Gotani, petitioner nos. 5 & 6 are Dewar of the deceased and they are not directly related to the affairs of the husband of the deceased, as such let the petitioner No.3, 5 and 6 in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Nawada in connection with Nawada (Town) P.S.Case No.392 of 2016 (Corresponding to G.R.No.1934 of 2016), subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions : -



- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
 - (ii) The petitioners will not induce any witness or tamper with the evidence.
 - (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.
- With the aforesaid observation, this application is allowed.

So far prayer for anticipatory bail in respect of petitioner nos.1 and 2 are concerned, it is rejected, however, they are at liberty to renew their prayer for regular bail before the court below itself, which will be considered by the learned court below on the basis of materials available on the record.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

