

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4715 of 2017

Arising Out of PS.Case No. -95 Year- 2016 Thana -MARAUNA District- SUPAUL

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1. Rajo Devi, W/O Shiv Nandan Sah, Resident of Village-Belhi, P.S.-Marauna, District-Supaul.
 2. Shiv Nandan @ Shiv Nandan Sah, Son of Late Govind Sah, Resident of Village-Belhi, P.S.-Marauna, District-Supaul.
 3. Renu Devi, wife of Durganand Sah, Resident of Village-Belhi, P.S.-Marauna, District-Supaul.
 4. Masudan Sah @ Maksudan Sah, Son of Saudagar Sah, Resident of Village-Belhi, P.S.-Marauna, District-Supaul.
 5. Anita Devi, Wife of Masudan Sah @ Maksudan Sah, Resident of Village- Bairbouna, P.S. Phulparas, District: Madhubani.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pramod Mishra, Advocate
Ms. Rashmi Jha, Advocate
For the Opposite Party : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 364, 201 and 34 of the Indian Penal Code.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that the whole case is false and concocted as the victim has illicit relationship with some other person and once eloped with him. It has further been submitted that there is no allegation against petitioner nos. 4 and 5, they have been made accused only on the



basis of suspicion. It is alleged that petitioners no. 1 to 3 along with the husband got the sister of the informant killed and removed her dead body.

Heard learned A.P.P. also. He has opposed the prayer for bail and submitted that the case is at the investigation stage.

Having heard both sides, in view of the fact that there is no allegation against petitioners no. 4 and 5, let above named petitioners no. 4 and 5, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Supaul, in connection with Marauna P.S. Case no. 95 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that bailors should be local having property within the jurisdiction of the court concerned and petitioners shall cooperate in the investigation and make themselves available before the police as and when required.

So far petitioners no. 1 to 3 are concerned, I am not inclined to grant anticipatory bail to them, the same is rejected.



However, petitioners no. 1 to 3 are directed to surrender in the court below within a period of six weeks and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this Court.

Accordingly, this application stands disposed of.

(Vinod Kumar Sinha, J)

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