

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23001 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -RAJAUN District- BANKA

- =====
1. Bambam Kumar, son of Amar Nath Singh,
 2. Nutan Rajhans, wife of Bambam Kumar,
- Both resident of Village- Pati Chak, P.S.- Rajoun, District- Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate.

For the Opposite Party/s : Mr. Binod Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-05-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Rajaun P.S. Case No. 26 of 2017 instituted for the offence under Sections 341, 323, 307, 379, 376, 511, 448, 427, 504/34 of the Indian Penal Code and Section 37(b) of Bihar Prohibition Excise Act, 2016.

It has been submitted on behalf of the petitioners that occurrence has taken place on account of dispute with regard to the children. It has further been submitted that both parties are neighbours and come from the same family.

From the written report itself it appears that occurrence has taken place on account of dispute with regard to the children. There is general and omnibus allegation against petitioner No. 1 of assaulting Rampari Devi (mother-in-law of the informant) with fists, slap, leg etc. There is no specific allegation against petitioner No. 2 who is wife of



petitioner No. 1.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Rajoun P.S. Case No. 26 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of leaned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438 (2) 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.

S.Ali/-

(Sanjay Priya, J)

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