

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24355 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -DUMRA District- SITAMARHI

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1. Nasira Khatoon, W/o Abdul Wahid,
2. Farzana Khatoon, D/o Abdul Wahid,
3. Md. Meraz @ Md. Meral Ali, Son of Abdul Wahid,
4. Md. Reyaz @Md. Reyaz Ali, Son of Abdul Wahid, All Resident of
Village- basatpur, P.s.- Dumara, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Dumara P.S. Case No. 23 of 2017 instituted for the offence under Sections-304B/34 of the Indian Penal Code.

It has been submitted that husband is already in custody. Petitioners are family members of husband of the deceased.

From the written report, it appears that there is no allegation of specific overt act against these petitioners. The learned Sessions Judge has mentioned in the impugned order that the doctor opined that the dead caused due to asphyxia.

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 Dumara P.S. Case No. 23 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (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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