

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45797 of 2017

Arising Out of PS.Case No. -100 Year- 2017 Thana -SONBERSA District- SITAMARHI

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1. Rajeev Sah, Son of Biltu Sah,
2. Priyanka Devi, w/o Rajeev Sah,
Both r/o village- Purandaha Rajwara, P.S.- Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar, Advocate
For the informant : Mr. Uday Kumar, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sonbarsa P.S.
Case No. 100 of 2017 instituted for the offence under Sections 304(B)
and 201 read with Section 34 of the Indian Penal Code.

It has been submitted that petitioner No. 1 is elder brother
of husband of deceased whereas petitioner No. 2 is wife of petitioner
No. 1. They are living separate from the husband of the deceased. It has
further been submitted that husband of the deceased is already in
custody.

From the written report it appears that there is general and
omnibus allegation against these petitioners.

Learned counsel for the informant has appeared and
opposed the prayer for anticipatory bail.



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 Sonbarsa P.S. Case No. 100 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 Sri K.D Raja, Additional Chief Judicial Magistrate-IV, Sitamarhi, 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.

(Sanjay Priya, J)

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