

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32641 of 2017

Arising Out of PS.Case No. -386 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

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1. Sunil Sao, Son of Late Suresh Sao,
 2. Hansa Devi, W/o Late Suresh Sao,
 3. Kavita Devi, W/o Sunil Sao, All Residents of Village- Budhauri, P.S. & District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sheikhpura P.S.
Case No. 386 of 2015 instituted for the offence under Sections-304B,
306/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that
petitioners are mother-in-law, Gotani and Bhainsur of the deceased.
The police after investigation did not sent up these petitioners for trial.
The police submitted charge sheet only against husband of the deceased
for the offence under Section-306 of the Indian Penal Code but the
learned Magistrate has taken cognizance against these petitioners along
with husband for the offence under Sections-304B, 306 of the Indian
Penal Code.

From the written report, it appears that there is general and



omnibus allegation against these petitioners. There is specific allegation that the daughter of the informant was tortured by the co-accused Gautam Sao for bringing money as dowry.

In such circumstances, prayer for anticipatory bail is allowed 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 Sheikhpura P.S. Case No. 386 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura subject to condition as laid down u/S 438(2) of the 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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