

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45278 of 2017

Arising Out of PS.Case No. -168 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Anwar Hussain
 2. Ajajaul Hussain @ Ajajul Hussain
 3. Allauddin All sons of Mobarak Mian residents of village - Madhopur Taksari, P.S. - Madhuban, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Sri Kanhaiya Kishore, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 17-10-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Madhuban Police Station Case No. 168 of 2017, disclosing offences under Sections 302, 120B, 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is general and omnibus allegation against these petitioners and no specific overt act is attributed to them. The petitioners, who are of clean antecedent, happen to be brother of the husband of deceased and they have nothing to do with the internal affairs of deceased and her husband. These petitioners have been made



accused in this case merely on suspicion which is apparent from the F.I.R. itself. Except suspicion, no cogent material has come during course of investigation against them. Moreover, specific allegation is leveled against the husband of the deceased and he is already in judicial custody. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, East Champaran at Motihari, in connection with Madhuban Police Station Case No. 168 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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