

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62440 of 2017

Arising Out of PS.Case No. -365 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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1. Santosh Bhagat
2. Bittu Bhagat
3. Kush Bhagat @ Kush Kumar Bhagat
All sons of Shankar Bhagat
4. Babita Kumari, daughter of Shankar Bhagat
5. Dropadi Devi, wife of Shankar Bhagat
All residents of village Bhauara, P.S. Bakhtiyarpur, Distt. Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi, wife of Kartik Bhagat and daughter of Baijnath Bhagat,
resident of village Baijnathpur, P.S. Sour Bazar, Distt. Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf
For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Sour Bazar**
P.S. Case No. 365 of 2016 instituted for the offence under
Sections 341, 323, 307, 313, 498A, 504 and 506/34 of the Indian
Penal Code.

In the written report it is alleged that the marriage of
the informant with co-accused Kartik Bhagat was solemnized. It is
further alleged that the informant was tortured in her Sasural for
non-fulfillment of demand of dowry and they tried to kill her
when she was carrying pregnancy of four months.



It has been submitted that petitioner Nos. 1, 2 and 3 are brothers-in-law (*Dewars*), petitioner No. 4 is sister-in-law (*Nanad*) and petitioner No. 5 is mother-in-law of the informant.

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 **Sour Bazar P.S. Case No. 365 of 2016**, 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 **learned Chief Judicial Magistrate, Saharsa**, 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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