

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54407 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

- =====
1. Bina Devi @ Mina Devi &
 2. Bano Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Sultanganj P.S. Case No. 111 of 2017 instituted for the offence under Sections-307, 302 & other minor Sections of the Indian Penal Code and 27 of the Arms Act.

It has been submitted that these petitioners are mother and father of the main assailant, Mukesh Kumar and Vikky Kumar. In the fardbyan, it is alleged that petitioner No, 1 assaulted the informant with lathi and ordered to fire and, thereafter, Mukesh Kumar and Vikky Kumar made indiscriminate firing on account of which, the son of the informant Babloo Yadav died on the spot.

As such, from the written report itself, it appears that there is no specific allegation of assaulting the son of the informant (since deceased) against the petitioners. The other co-accused namely, Baby Kumari and Nigam Kumari with similar allegation have been granted



anticipatory bail by a coordinate bench of this court vide order dated 03-10-2017 passed in Cr. Misc. No. 46408 of 2017

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 in Sultanganj P.S. Case No. 111 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Bhagalpur 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)

A.K.V./-

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