

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15965 of 2017

Arising Out of PS.Case No. -132 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

- =====
1. Jagarnath Sah, son of late Sarjug Sah,
 2. Shekhar Sah, son of Jagarnath Sah,
 3. Sukhchain Sah, son of Jagarnath Sah,
 4. Sanyog Sah, son of Jagarnath Sah,
 5. Srinath Sah, son of Jagarnath Sah, all resident of village-Chak Majahid,
P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 02-05-2017

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in Mahua P.S.

Case No.132 of 2016 instituted for the offence under Section(s)
302/34 Indian Penal Code.

As per the written report, husband of the informant
had gone to attend marriage ceremony of daughter of petitioner
No.1 with the informant and in the night of 24/25.02.2016, the
informant heard *halla* from relatives that her husband has died.
On the same night, a UD case was lodged by the son of the
informant. Thereafter, the informant after lapse of about two
months filed the written report on 12.04.2016 making allegation



against these petitioners of committing murder of her husband.

It has been submitted on behalf of the petitioners that on the date of occurrence marriage of daughter of petitioner No.1 was taking place and petitioner Nos.2, 3, 4 and 5 are all sons of petitioner No.1. UD Case No.03 of 2016 was registered by the son of the deceased on the same day, which has been annexed as Annexure-3. Post mortem report has also been annexed as Annexure-4, wherein, the doctor has stated that there was no external injury on the body of the deceased and opined the death due to asphyxia.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Mahua P.S. Case No.132 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, 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)

JA/-

U		T	
---	--	---	--

