

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29252 of 2017

Arising Out of PS.Case No. -124 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Kulwanti Devi, W/o Nand Lal Chaudhary
2. Nand Lal Chaudhary, S/o Late Ram Krit Chaudhary
3. Rakesh Kumar, S/o Nand Lal Chaudhary
4. Vikash Kumar, S/o Nand Lal Chaudhary
5. Dholan Chaudhary, S/o Late Ram Krit Chaudhary

All residents of Village - Dadar, P.S. - Mohania, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Mohania P.S. Case No. 124 of 2017, G.R. No. 622 of 2017 instituted for the offence under Sections 304(B)/34 of the Indian Penal Code.

It has been submitted that these petitioners are family members of husband of the deceased. There is allegation against the petitioners that they committed murder of the daughter of the informant by pouring kersone oil and set her ablaze.

Counsel for the petitioners has pointed out the statement of Binda Devi and other witnesses recorded in paragraphs 6, 7, 8 and 9 of the case diary wherein they have not levelled any specific allegation against the petitioners.



It has been submitted on behalf of the petitioner that a compromise petition has been filed by the informant which has been enclosed as Annexure-2.

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 Mohania P.S. Case No. 124 of 2017, G.R. No. 622 of 2017, 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, Kaimur at Bhabua, 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.

S.Ali/-

(Sanjay Priya, J)

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