

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49915 of 2016

Arising Out of PS.Case No. -221 Year- 2015 Thana -BHANGWANPUR HAT District- SIWAN

- =====
1. Sonu Kumar @ Sonu Kumar Rai, Son of Late Ramjit Rai
 2. Shanti Kuwar, Wife of Late Ramjit Rai
- Both are residents of Village - Chaugathiya, P.S. - Bhagwanpur Hatt,
District - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-04-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Bhagwanpur
Hatt P.S. Case No. 221 of 2015 instituted for the offence under
Sections 304B/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that
the husband is already in custody. The petitioners are Dewar and
mother-in-law of the deceased. A compromise petition has already
been filed by the parties in the lower court.

From the written report it appears that there is general
and omnibus allegation against the petitioners. From the order of
the learned Sessions Judge also it appears that there is no



allegation of any overt act against the petitioners.

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 Bhagwanpur Hatt P.S. Case No. 221 of 2015, 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, Siwan, 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 petitioner 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 petitioner.

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(Sanjay Priya, J)

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