

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30842 of 2017

Arising Out of PS.Case No. -326 Year- 2016 Thana -BIHPUR District- BHAGALPUR

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1. Indra Nand Mishra, Son of Late Chakradhar Mishra,
2. Indu Devi, W/o Indra Nand Mishra,
Both are Residnet of Village- Bikrampur, P.S.- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party/s : Smt. Asha Kumari, 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 Bihpur P.S. Case No. 326 of 2016 instituted for the offence under Sections 304(B)/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that they are parents-in-law of the deceased. They have not been sent up for trial. The cognizance has been taken by the learned Magistrate on the basis of materials available in the case diary. It has further been submitted that the husband of the deceased has already been granted regular bail by a coordinate Bench of this Court vide order dated 16.5.2017 passed in Cr. Misc. 17326 of 2017.

From the written report, it appears that there is general and omnibus allegation against the petitioners.

Learned counsel for the opposite party No. 2 has appeared



and opposed prayer for anticipatory bail of 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 Bihpur P.S. Case No. 326 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 Additional Chief Judicial Magistrate-1st, Naugachia, Distt. Bhagalpur, 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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