

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43002 of 2017

Arising Out of PS.Case No. -492 Year- 2015 Thana -PHULWARI District- PATNA

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1. Chandrika Prasad @ Chanarik Rai @ Chandrika Prasad Singh, Son of Late Bhishma Rai.

2. Mother of Upendra Rai, namely, Mandodari Devi, W/o Chandrika Prasad @ Chanarik Rai.

Both Resident of Mohalla- Chunauti Kuan, Gwal Toli, P.S. Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-09-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Phulwarisharif P.S. Case No. 492 of 2015, disclosing offences under Section 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

From the First Information Report, it appears that it was registered when the deceased was shot dead



by her husband and the husband was still hiding in the house when the police had gone to arrest him. Allegedly, the husband of the deceased had opened fire on the police party also, who had gone there to arrest.

Learned counsel for the petitioners has submitted that the petitioners are father-in-law and mother-in-law of the deceased and no role of any overt act has been attributed to them.

Considering the contents of the First Information Report and the nature of accusation against the husband of the deceased, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, Ist Class, Sadar Court, Patna**, in connection with **Phulwarisharif P.S. Case No. 492 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before



the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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