

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48581 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

- =====
1. Mamta Devi, D/o Sanjay Kumar Singh, R/o Village- Chamrhara, Naya Tola, P.S.- Mahnar, District- Vaishali.
 2. Roma Kumari D/o Sanjay Kumar Singh, R/o Village- Chamrhara, Naya Tola, P.S.- Mahnar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Mahnar P.S. Case No. 79 of 2017 instituted for the offence under Sections-307, 302 & other minor Sections of the Indian Penal Code.

It has been submitted that both these petitioners are ladies. There is no specific allegation of overt act against these petitioners.

In the written report, there is specific allegation against co-accused Abhiraj Devi of pouring Kerosene Oil on the person of the victim and her son Anshu Kumar set her on fire by match stick with intention to kill her. It is alleged that Uttam Kumar in his fardbyan after death of his sister has made specific allegation against co-accused Abhiraj Devi of pouring Kerosene Oil on the person of the victim and of setting her sister on fire by Anshu Kumar who died in course of treatment.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Mahnar P.S. Case No. 79 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Vaishali at Hajipur subject to condition as laid down u/S 438(2) of the 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)

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