

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23550 of 2017

Arising Out of PS.Case No. -886 Year- 2016 Thana -SAHARSA District- SAHARSA

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1. Sanjay Yadav @ Sanjay Kumar, S/o Jagdish Yadav,
2. Naresh Yadav, S/o Jagdish Yadav.
3. Bero Devi @ Bhairo Devi, W/o Suresh Yadav, All R/o Vill. Simraha,
P.S. Sadar (Saharsa), Dist.- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 01-07-2017 Heard learned counsel for the petitioners and the State.
- The petitioners apprehend their arrest in Saharsa Sadar
P.S. Case No. 886 of 2016 instituted for the offence under
Section-302 & other minor sections of the Indian Penal Code.
- It is submitted that petitioner Nos. 1 & 2 are cousin
fathers-in-law of the deceased whereas; petitioner No. 3 is mother-
in-law of the deceased.
- As per written report, the son of the informant had gone
to his Sasural to bring his wife but he did not return. The
informant contacted Suresh Yadav, the father-in-law of his son,
who told that his son had already returned back on the same day.
The informant made search and got information that a dead body



was lying near the river and thereafter, dead body of his son was recovered. The informant has alleged in the FIR that after making conspiracy, the accused persons have committed murder of his son and threw the dead body.

In the written report itself, it appears that mere suspicion has been raised against the petitioner and dead body has been recovered from a river. Petitioners are cousin fathers-in-law and mother-in-law of the deceased.

In such circumstances, prayer for anticipatory bail is allowed 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 Saharsa Sadar P.S. Case No. 886 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Saharsa 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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