

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15735 of 2017

Arising Out of PS.Case No. -326 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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1. Arvind Paswan, S/o Late Jitu Paswan
2. Utra Devi, W/o Arvind Paswan
Both residents of Village Kashichak Patel Nagar, Police Station : Piri
Bazar, District : Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Kumari wife of Sunil Paswan, Daughter of Lakhan Paswan
Mohalla - Chhoti Kabaiya, P.S. Kabaiya, Ward No. 32, District -
Lakhisarai.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Amrendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 28-04-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Lakhisarai
(Kabaiya) P.S. Case No. 326 of 2015 instituted for the offence
under Sections 323, 341, 394, 498(A), 307/34 of the Indian Penal
Code and Sections 3/4 of the Dowry Prohibition Act.

It has been submitted that the petitioners are *Mausera*
Sasur and *Mauseri Sas* of the complainant.

From the written report it appears that allegation
against the petitioners is that they got performed second marriage
of the husband of the complainant. Besides this, there is no any



allegation of specific 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 Lakhisarai (Kabaiya) P.S. Case No. 326 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 Sub Divisional Judicial Magistrate, Lakhisarai, 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.

(Sanjay Priya, J)

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