

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15747 of 2017

Arising Out of PS.Case No. -255 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Sangyan Devi, wife of Mahesh Thakur,
2. Amit Thakur, Son of Mahesh Thakur,
3. Sanjeev Kumar Thakur @ Sanjeev Thakur, Son of Ramsaran Thakur,
4. Mahesh Thakur, Son of Late Bidyanand Thakur,
5. Suresh Thakur, Son of Late Bidyanand Thakur, All resident of Village-
Ramai Police Station- Forbesganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-05-2017 Heard learned counsel for the petitioners and the State.

During pendency of this petition, petitioner No. 4
namely, Mahesh Thakur has already been arrested and by order
dated 28-04-2017, the petition for anticipatory bail of petitioner
No. 4 has been permitted to be withdrawn.

The rest four petitioners apprehend their arrest in
connection with Forbesganj P.S. Case No. 255 of 2016 instituted
for the offence under Sections-304(B), 201/34 of the Indian Penal
Code.

It has been submitted that the occurrence is said to
have taken place on 09-04-2016. It has been submitted that FIR



has been lodged on the basis of complaint filed by the complainant before the learned Chief Judicial Magistrate after delay of about 25 days. It has further been submitted that there is no any overt act against these petitioners.

The C.D. has been received.

The learned APP submitted that there is no specific allegation against the petitioners. Petitioners are mother-in-law and other family member of husband of the deceased.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner Nos. 1, 2, 3 & 5 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 Forbesganj P.S. Case No. 255 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Araria 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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