

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56796 of 2017

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

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1. Usha Devi W/o Rajendra Rai R/o Dhanaut, P.S. - Rupaspur, District - Patna.
2. Rajendra Rai S/o Ram Iqbal Rai R/o Dhanaut, P.S. - Rupaspur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Phulwari Sharif P.S. Case No. 492 of 2015 instituted for the offence under Sections-302/34 of the Indian Penal Code and 27 of the Arms Act.

Petitioners are married Nanad and Nandoshi of the victim (deceased). The husband is already in custody.

From the written report, it appears that there is general and omnibus allegation against these petitioners. The other co-accused with similar allegation have been granted anticipatory bail by coordinate benches of this court vide orders dated 17-02-2016 & 20-09-2017 passed in Cr. Misc. Nos. 51135 of 2015 & 43002 of 2017.

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 Phulwari Sharif P.S. Case No. 492 of 2015 to the satisfaction of Smt. Seema Eram, learned Judicial Magistrate-Ist Class, Patna 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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