

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16842 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Anita Devi, Wife of Bhushan Singh,
2. Bhushan Singh, Son of Kameshwar Singh,
3. Guriya Devi, D/o Bhushan Singh,
4. Savita Devi, D/o Bhushan Singh,
5. Nidhu Devi, D/o Bhushan Singh,
6. Roushan Singh, S/o Bhushan Singh, All resident of village - Mohamadpur, Barsima, P.S. Ekangarsarai, District - Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Noorsarai P.S. Case No. 8 of 2017 registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

Petitioner No.1 is mother-in-law, petitioner no.2 is father-in-law, petitioner Nos. 3 to 5 are Nanads and petitioner No.6 is Debar of the deceased and the case is under Section 304B IPC.

It has been submitted on behalf of the petitioners that there is general and omnibus allegation against the petitioners and



no specific allegation has been attributed to any one and it has also been submitted that the case has been lodged after inordinate delay of four days, which has not been explained and informant had participated in the cremation also and, as such, false and concocted case has been lodged against the petitioners.

Heard learned APP also, who has opposed the prayer for anticipatory bail of the petitioners stating that accused persons set her on fire and there is also allegation of demand of dowry and torture.

Having heard both sides and in view of the fact that petitioners Nos. 3 to 6 are Nanads and Debar, as such, let the petitioners Nos. 3 to 6, named above, in the event of their arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Noorsarai P.S. Case No. 8 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioners shall co-operate in the investigation and make themselves available before the police as and when required and



in the event of failure on their part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of their bail bonds and further petitioners will not induce any witness or tamper with the evidence.

So far prayer for anticipatory bail on behalf of petitioners Nos. 1 and 2 is concerned, they are mother-in-law and father-in-law and their involvement cannot be ruled out at this stage, as such, I am not inclined to grant them anticipatory bail, rather they should surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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