

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44944 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -BHAPATIYAH District- SUPAUL

- =====
1. Sushila Devi @ Soshila Devi @ Shushila Devi, D/o Bechan Mandal,
 2. Jangali Devi, W/o Bechan Mandal,
 3. Lakshman Kumar @ Lakshman Mandal, Son of Bechan Mandal
- All R/o village- Nonpur (Ward No.12), P.S.- Bhaptiyahi, Distt.- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Bhaptiyahi P.S.

Case No. 56 of 2017 instituted for the offence under Sections 302 and 34 of the Indian Penal Code.

It has been submitted that informant is full brother of father of petitioner Nos. 1 and 3 and husband of petitioner No. 2. There is land dispute between the parties.

In the written report there is no mention of specific date of occurrence. There is general and omnibus allegation against the petitioners that they assaulted the wife of the informant who subsequently died.

Learned counsel for the petitioners has enclosed the post mortem report annexed as Annexure-2 wherein the doctor has found no



external injury on the body of the deceased and viscera has been preserved for forensic examination.

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 Bhaptiyahi P.S. Case No. 56 of 2017, 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 Chief Judicial Magistrate, Supaul, 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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