

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38575 of 2017

Arising Out of PS.Case No. -98 Year- 2009 Thana -KADWA District- KATIHAR

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1. Minti Devi Wife of Raju Rai @ Raju Ray
2. Raju Rai @ Raju Ray Son of Late Asharfi Rai Both residents of Village Chouki (Dhangama), P.S. Kadwa, District Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 02-11-2017 Heard the parties.

This application, for grant of anticipatory bail, arises out of Kadwa P.S. Case No. 98/09, disclosing offences under Sections 363(A), 364 and 120B of the Indian Penal Code.

Learned counsel for the petitioners has submitted that in the complaint petition which is the basis of registration of the F.I.R. there is nothing against petitioner no. 2, though, there is some allegation against other accused persons including the wife of the petitioner no. 2 who is petitioner no. 1 in the present case. It has been submitted that though the F.I.R. was registered in the year 2009 and at no point of time the petitioners were tried to be interrogated by the police.



In view of the clear facts and circumstances, the application is, accordingly, allowed.

Let the petitioners above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar, in connection with Kadwa P.S. Case No. 98/09, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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