

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48408 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -KASBA District- PURNIA

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1. Puja Devi, Wife of Mithilesh Sah,
 2. Mithilesh Sah, Son of Shankar Sah, Both Resident of Village-Garhbanaili, P.S.- Kasba, District- Purnea.
 3. Jitendra Sah, Son of Bijay Sah, Resident of Village- Katihar Gareli Tola, P.S.+District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kasba P.S. Case No. 138 of 2017 instituted for the offence under Sections-304(B)/34 of the Indian Penal Code.

It has been submitted that petitioners are Gotani, Bhainsur and Nanad of the deceased.

In the written report, there is no any specific allegation of overt act against these petitioners. It is alleged that the informant learnt from unknown person on telephone that his sister has died.

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 in Kasba P.S. Case No. 138 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Purnea 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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