

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7239 of 2017

Arising Out of PS.Case No. -321 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Kaimudin Alam @ Kamruddin Alam, son of Aziz Mian.
2. Kusum Khatoon, wife of Aziz Mian.
3. Rabaja Khatoon @ Salami Khatoon, wife of Anjar.
4. Jarina Khatoon, wife of Md. Naim,
All Resident of Village- Jagirahan, P.S.- Jitna, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Sri Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 Heard the parties.

The petitioners apprehend their arrest in Ghorasahan (Jitna) P.S. Case No.321 of 2016 for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the petitioner no.1 is Devar, petitioner no.2 is mother-in-law, petitioner no.3 is married Nanad and petitioner no.4 is Gotani. There is general and omnibus allegation all the petitioners and there is nothing specific against them.

Heard learned A.P.P. also.

Having heard both sides. It appears that there is general



and omnibus allegation against all the petitioners. However, the petitioner nos.1, 3 and 4, who are Devar, married Nand and Gotani, have nothing to do with the affairs of the deceased. Considering the aforesaid facts, let the petitioner nos.1, 3 and 4, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Ghorasahan (Jitna) P.S. Case No.321 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to the further condition that the petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

So far petitioner no.2 is concerned, she is mother-in-law of the deceased and, as such, I am not inclined to grant anticipatory bail to her. However, if she surrenders in the court below within a period of four weeks and make prayer for regular bail, then the same shall be considered on its own merit as also



after considering the materials available on the record, without
being prejudiced by this order.

(Vinod Kumar Sinha, J)

Arvind/-

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