

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53956 of 2017

Arising Out of PS.Case No. -171 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Mahesh Chaudhary,
2. Kishor Chaudhary, Both son of Late Jaglal Chaudhary, Resident of
Village- Asharaf, P.S.- Islampur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 15-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Islampur P.S. Case No.
171 of 2017 instituted for the offence under Sections-304B, 201/34 of
the Indian Penal Code.

It has been submitted that petitioners are elder brothers of
husband of the deceased and they have no concern with the family
affairs of husband of the deceased.

From the written report, it appears that there is general and
omnibus allegation against these petitioners.

It has further been submitted that one co-accused namely,
Rajesh Choudhary with similar allegation has been granted anticipatory
bail by a coordinate bench of this court vide order dated 06-12-2017
Passed in Cr. Misc. No. 58968 of 2017.



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 Islampur P.S. Case No. 171 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda 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 liable 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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