

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54261 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -SONEPUR District- SARAN

=====

1. Sawan Mahto Son of Sri Gauri Mahto
2. Durga Devi Wife of Gauri Mahto
3. Gauri Mahto Son of Nathu Mahto Resident of Village - Sabalpur
Pachhiyari Bin Toli, Police Station - Sonapur, District - Saran at Chapra.
..... Petitioners

Versus

1. The State of Bihar.

..... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 29-01-2018 Heard learned counsel for the petitioners and the

State.

Learned counsel for the petitioners seeks permission
to withdraw the bail petition filed on behalf of petitioner no.1, as
he has already surrendered in the court below.

Accordingly, prayer of bail of petitioner no.1 is
dismissed as withdrawn.

The petitioners apprehend their arrest in Sonpur P.S.
Case No.128 of 2017, G.R. No.2506 of 2017 instituted for the
offences under sections 304B and 201/34 of the Indian Penal
Code.

It has been submitted on behalf of petitioner no.2 and
petitioner no.3 that they are mother-in-law and father-in-law of
the deceased.



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

Considering the facts and circumstances of the case, let the petitioner no.2 namely Durga Devi and petitioner no.3 namely Gauri Mahto, in the event of surrender within six weeks from the date of receipt of this order, in connection with Sonpur P.S. Case No.128 of 2017, G.R. No.2506 of 2017 shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Saran at Chapra, 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 co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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)

Amit/-

U		T	
---	--	---	--

