

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12370 of 2018

Arising Out of PS.Case No. -160 Year- 2017 Thana -SISWAN District- SIWAN

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1. Bikrama Giri @ Bikrama Jee Giri, son of late Ram Ekbal Giri
2. Harendra Giri, son of Bikrama Giri @ Bikrama jee Giri
Both residents of village Ghur Ghat Mathian, P.S. Siswan, Distt. Siwan.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ved Prakash Srivastva, Advocate.

For the Opposite Party/s : Mr. Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-02-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Siswan P.S. Case No. 160 of 2017 arising out of G.R. No. 4860 of 2017** instituted for the offence under Sections 302, 201, 506/34 of the Indian Penal Code.

In the complaint petition the informant alleged that her husband was done to death by these petitioners and his dead body was cremated hurriedly.

Learned counsel for the petitioners has submitted that petitioners are father-in-law and brother-in-law of the deceased. The complaint was filed by the wife of the deceased which was sent to Police Station under Section 156 (3) Cr. P.C. It has further been submitted that there is inordinate delay in filing the complaint petition.

The occurrence is alleged to have taken place in the night of 13.03.2017 but the complaint was filed on 13.7.2017 and First Information Report was lodged on 21.09.2017.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Siswan P.S. Case No. 160 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Siwan**, 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 cooperate 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 bond 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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