

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9127 of 2018

Arising Out of PS. Case No.-152 Year-2017 Thana- BARH District- Patna

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1. Lal Muni Choudhary, Son of Mahendra Choudhary,
 2. Nitish Choudhary @ Nitish Kumar Choudhary, Son of Mahendra Choudhary, Both are Resident of Village-Sarkati, P.S. Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 04-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Barh P.S. Case No. 152 of 2017, instituted for the offence under Sections 304(B),34,120(B) of the IPC.

Counsel for the petitioners has submitted that petitioner no. 1 is *Bhaisur* and petitioner no. 2 is *Dewar* of the deceased. Husband of the deceased is already in custody. It has further been submitted that co-accused Sushila Devi, who is mother-in-law of the deceased, has already been granted anticipatory bail by this Court vide order dated 09.11.2017 passed in Cr. Misc. No. 52096 of 2017.

As such there is general and omnibus allegation against these petitioners.



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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Barh P.S. Case No. 152 of 2017, to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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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