

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44933 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sadhu Sahani, son of Dhari Sahani,
 2. Sabita Devi, wife of Suresh Sahani, both are resident of village-Tinkoni, P.S.- Darpa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 07-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Darpa P.S.**

Case No.22 of 2017 instituted for the offence under Section(s)

364/34 Indian Penal Code.

Counsel for the petitioners has submitted that petitioners are father-in-law and *Sautan* of the victim lady.

It is alleged in the written report that Suresh Sahani performed second marriage with petitioner no.2 with consent of the victim lady. The informant learnt on 29.03.2017 that his daughter was assaulted on 24.03.2017 in her *Sasural* and she left for her *Naihar*, but has not reached her *Naihar*.

In this manner, there is no allegation of specific



overt act against the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Darpa P.S. Case No.22 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 the **Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran**, 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 absence on two consecutive dates without proper and reasonable reason will automatically 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)

JA/-

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

