

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40593 of 2017

Arising Out of PS.Case No. -226 Year- 2017 Thana -GARKHA District- SARAN

- =====
1. Kanhaiya Prasad, son of late Pukar Prasad @ Rampukar Prasad,
 2. Dharmendra Prasad, son of Sri Kanhaiya Prasad,
 3. Sonu Prasad, son of Sri Kanhaiya Prasad, all resident of village- Narayanpur, P.S. Garkha, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 02-01-2018

Heard learned counsel for the petitioners and learned

APP for the State.

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

Case No.226 of 2017 instituted for the offence under Section(s)
304-B, 201/34 Indian Penal Code.

It has been submitted that petitioners are father-in-law and brother-in-law (Devar) of the deceased. They have no concern with the family affairs of the deceased and her husband. Husband of the deceased is already in custody.

Learned APP has submitted that in para 4 of the case diary police has mentioned about the place of occurrence, wherein, police has merely raised suspicion that there was sign of smoke on the wall.

In the written report, there is general and omnibus



allegation 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 **Garkha P.S. Case No.226 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 **Additional Chief Judicial Magistrate, V, 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 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)

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