

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11445 of 2018

Arising Out of PS. Case No.-9 Year-2017 Thana- SIMULTALA District- Jamui

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1. Basudeo Mahto @ Basdeo Mahto, S/o Late Jhawar Mahton
 2. Mulwa Devi @ Fulwar Devi, W/o-Basudeo Mahto @ Basdeo Mahto
 3. Budhu Mahto, S/o Late Chamru Mahto, All are Resident of Village-Kurawa, P.S.-Simultalla, Distt.-Jamui (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Dubey
For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Simultala P.S. Case No. 09 of 2017 instituted for the offence under Sections 304(B),120(B),201 of the IPC and ³/₄ D.P. Act.

It has been submitted that petitioners are father-in-law, mother-in-law and relative of the deceased. After investigation Jhajha Rail Police lodged a U.D. Case bearing U.D. Case No. 01 of 2017, and after 18 days a complaint case has been filed without explanation of delay.

In the written report there is no specific allegation of overt act 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 Simultalla P.S. Case No. 09 of 2017 to the satisfaction of the learned Chief Judicial Magistrate, Jamui, 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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