

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45445 of 2017

Arising Out of PS.Case No. -131 Year- 2017 Thana -KAKO District- JEHANABAD

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1. Siya Pati Devi W/o Surendra Prasad Yadav @ Surendra Yadav resident of Village- Kishunpur Tola, Deochand Bigha, P.S.- Kako, District-Jahanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.52307 of 2017

Arising Out of PS.Case No. -131 Year- 2017 Thana -KAKO District- JEHANABAD

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1. SURENDRA PRASAD YADAV @ SURENDRA YADAV S/o Tata Yadav @ Toha Yadav R/o Village-Kishunpur Tala, Deochand Bigha, P.S.- kako, District-jahanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.45445 of 2017)

For the Petitioner/s : Mr. Raj Kishor Prasad

For the informant : Mr. Ashok Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 10-01-2018 Both petitions arise out of Kako (Bhelawar) P.S.

Case No. 131 of 2017 registered under Sections-147, 149, 304b, 302, 201, 120B of the Indian Penal Code in which petitioners apprehend their arrest and accordingly, they are being heard together and disposed off by this common order.

Heard learned counsel for the petitioners and the State.



It has been submitted that petitioners are mother in law and father in law of the deceased.

Counsel for the opposite party No. 2 has appeared and opposed the prayer. It has been submitted that the husband of the deceased has not surrendered till date.

From the written report itself, it appears that there is general and omnibus allegation against both the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of his 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Kako (Bhelawar) P.S. Case No. 131 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Jehanabad 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 date fixed by the court and absence on two consecutive dates without proper and reasonable cause, will liable to 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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