

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32785 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- KESARIA District- East Champaran

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1. Seema Devi, W/o Pradeep Singh,
 2. Pradeep Singh, S/o Late Chandrika Singh,
 3. Deepu Singh @ Deepu Kumar, S/o Late Bachchan Singh @ Late Bachan Singh,
 4. Vivek Kumar, S/o Pradeep Singh, All Residents of Vill.- Siswa Patna Tola Baluar, P.S.- Kesariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 09-07-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kesariya P.S. Case No. 40 of 2018 instituted for the offence under Sections 304B,307,201,34 of the IPC.

Learned counsel for the petitioners submits that petitioners are family members of the husband of the deceased. The husband of the deceased is already in custody. In the written report, there is allegation against petitioner no. 1, 3 and 4 that they attempted to push the victim in fire and she sustained burn injury. But no burn injury was found on the person of victim (deceased) in post-mortem report enclosed as Annexure-2 to this petition, wherein, doctor has opined that the death was due to



asphyxia.

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 Kesariya P.S. Case No. 40 of 2018 to the satisfaction of learned 11th Additional Chief Judicial Magistrate, Motihari, East Champaran, 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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