

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62985 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -MOTIPUR District- MUZAFFARPUR

1. Janardan Bhagat @ Janardan Singh, Son of late Bhabhichhan Bhagat.

2. Sudama Devi, Wife of Janardan Bhagat @ Janardan Singh.

Both are resident of Village- Sandhuri, P.S. Motipur, District Muzaaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 10-01-2018 Heard the parties.

This application, for grant of anticipatory bail, arises out of Motipur P.S. Case No. 30 of 2016, disclosing offences under Sections 304B and 201/34 of the Indian Penal Code.

The petitioners are father-in-law and mother-in-law of the deceased. They had earlier approached this Court for grant of anticipatory bail, through application registered as Cr. Misc. No. 17646 of 2016, which was dismissed as withdrawn *vide* order, dated 19.07.2016. This application has again been



filed for the same relief.

Learned counsel, appearing on behalf of the petitioners, states that there are subsequent developments, which have necessitated filing of the present second anticipatory bail application. It has been stated that the husband of the deceased has been acquitted at a full fledged trial, arising out of the said case. There is specific finding in the judgment of the learned trial Court, dated 20.09.2017, passed in Sessions Trial No. 798 of 2016, by the learned 13th Additional Sessions Judge, Muzaffarpur, to the effect that the prosecution failed to establish that the deceased died under otherwise than the normal circumstances.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Sub-Divisional Judicial Magistrate, West, Muzaffarpur**, in connection with **Motipur P.S. Case No. 30 of 2016 (G.R. No. 317 of 2016)**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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