

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72915 of 2018

Arising Out of PS. Case No.-187 Year-2015 Thana- DARAUNDA District- Siwan

-
1. Roshan Sah Son of Late Jagmohan Sah
 2. Champa Devi W/o Roshan Sah
 3. Deepak Sah Son of Roshan Sah
 4. Balam Kr. Sah Son of Roshan Sah All are Resident of Village-
Lopar,P.S. Daraunda,Distt.-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh
For the Opposite Party/s : Mr. Sri Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2018 Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Daraunda P.S. Case No.187 of 2015, disclosing offences under Sections 498A/304B/120B of the Indian Penal Code.

The petitioners No. 1 and 2 are father-in-law and mother-in-law of the alleged victim whereas petitioners No. 3 and 4 are sons of petitioners No. 1 and 2 and brothers of the husband of the victim.

Learned counsel appearing on behalf of the petitioners has submitted at the very outset, that no offence under Section 304B of the Indian Penal Code is made out since the FIR has been registered with the allegation that the victim is traceless. He has drawn my attention to the statement of the informant, who is mother of the alleged victim recorded under Section 164 of the Code of Criminal



Procedure. He submits that evidently the alleged victim is traceless.

Considering the contradiction in the contents of the First Information Report and the statement of the Informant under Section 164 of the Code of Criminal Procedure, in my view, the case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in Daraunda P.S. Case No.187 of 2015, subject to the conditions as 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.

arun/-

(Chakradhari Sharan Singh, J)

U			
---	--	--	--

