

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13946 of 2018

Arising Out of PS.Case No. -386 Year- 2017 Thana -CHAUSA District- MADHEPURA

- =====
1. Kari Devi, W/o Budhu Sah @ Budh Deb Sah,
 2. Budhu Sah @ Budh Deb Sah, son of late Ghonu Sah,
 3. Ranjan Sah @ Ranjan Kumar Sah, son of Budhu Sah @ Budh Deb Sah,
 4. Pankaj Sah, son of Budhu Sah @ Budh Deb Sah, all resident of village-
Chausa, P.S.- Chausa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 26-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Chausa P.S.**

Case No.386 of 2017 instituted for the offence under Section(s)
302/34 Indian Penal Code.

In the written report, it is alleged that informant saw
all the petitioners running away from the occurrence and his
father was crying in pain. It is also alleged that all the petitioners
twisted and pressed the neck of his father on account of which he
succumbed to injury.

Counsel for the petitioners has enclosed post
mortem report as Annexure- 2, wherein, doctor has mentioned
that cause of death could not be ascertained. Various viscerae
have been preserved.

From the written report itself it appears that



informant is not an eye-witness. Mere suspicion has been raised against the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Chausa P.S. Case No.386 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Udakishunganj, District-Madhepura**, subject to the conditions as laid down under Section 438(2) 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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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Rohit Kr.

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