

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19605 of 2018

Arising Out of PS. Case No.-281 Year-2017 Thana- BHORE District- Gopalganj

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1. Priya Kumari, D/o Ashok Singh, R/o Semra, P.S.- Noutan, District- Gopalganj.
 2. Vevek Kumar, S/o Munna Singh, R/o Sonipur, P.S.- Gopalpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad
For the Opposite Party/s : Mr. Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bhore P.S. Case No. 281 of 2017, G.R. No. 5911 of 2017 instituted for the offence under Sections 302 of the IPC.

Learned counsel for the petitioners has submitted that petitioners and informant are agnates. Petitioners are made accused because petitioners' Nani have no son and his husband has died, informant is her own agnate and is willing to grab her share of land.

Learned counsel for the petitioners has further submitted that occurrence is said to have taken place on 30.06.2017 and the complaint case has been filed on



26.07.2017, the FIR has been registered on 12.09.2017.

It has been further submitted that post-mortem has been done on 30.06.2017. It has also been submitted that Nani of these petitioners is an old widow lady had filed a case against informant and his family members on 01.09.2017, which has been registered on 12.11.2017. The petitioners have been implicated in this case only because of land dispute, and the deceased was an old lady who died natural death on account of fall on hard surface.

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 Bhore P.S. Case No. 281 of 2017, to the satisfaction of the learned ACJM-XII, Gopalganj, 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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