

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28622 of 2018

Arising Out of PS. Case No.-312 Year-2017 Thana- BAKHTIARPUR District- Saharsa

1. Chhatu Rajak @ Chhotu Rajak, S/o Late Basant Rajak,
2. Baby Devi W/o Chhatu Rajak @ Chhotu Rajak, Both R/o Mohalla- Ali Nagar, Ward No. 22, Saharsa, P.S.+District- Saharsa.
3. Rinku Rajak @ Rinku Kumar Rajak S/o Mani Rajak, Both R/o Vill.- Simri Bakhtiyarpur, Ward No. 02, Block Colony, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP 37

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection
with Bakhtiyarpur P.S. Case No. 312 of 2017 instituted for the
offence under Sections 302 and 201 of the Indian Penal Code.

It is alleged in the written report that one dead
body was recovered from Farhi River, kept in a bag. The
informant (Chowkidar) has suspected that some unknown
persons has thrown the dead body of lady after committing
murder. The first information report is against unknown.
Subsequently, during investigation name of these petitioners



have come merely on suspicion. The learned Sessions Judge has mentioned in the impugned order that in paragraph 40 of the case diary it has come that deceased had love affairs with a boy of another community. The matter came in knowledge of the parents and thereafter murder has been committed.

Petitioners 1 and 2 are the father and mother and petitioner no. 3 is the cousin brother of the boy with whom the love affairs of the deceased lady has been suspected.

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 **Bakhtiyarpur P.S. Case No. 312 of 2017** they shall be released on anticipatory 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 **Chief Judicial Magistrate, Saharsa**, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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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