

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41240 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Ramawati Kumari @ Rama Maurya, wife of Narendra Kumar Maurya.
2. Narendra Kumar Maurya, son of Late Ayudhya Prasad Maurya.
Both Resident of Mohalla- Shivganj Dehri, P.O. and P.S. Dehri, District-
Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kishori Devi, wife of Late Ayudhya Prasad Maurya, Resident of
Mohalla- Shivganj Dehri (In front of Rimjhim Hotel), P.O. and P.S.
Dehri, Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari-1, Advocate.
Mr. Rajesh Roy, Advocate.
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 02-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Complaint**
Case No. 15 of 2017 instituted for the offence under Sections 468,
471, 323 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
these petitioners filed Probate Case No. 28 of 2016 in the court of
learned Additional Sessions Judge, Sasaram. The notice was
issued in that Probate Case by son of the complainant with whom
the complainant resides, but no notice was sent to the complainant.



The complainant learnt that she was described in the Probate case in the Court below as having dead. Thereafter, the instant complaint has been filed. It has further been submitted that such omission of name of the complainant occurred due to inadvertence and due to which, complainant was shown as dead in the Probate case. After disclosing the aforesaid mistake, an amendment petition has been filed stating that she is alive and, thereafter, complainant has been made party in the aforesaid Probate Case.

Learned counsel for the opposite party No. 2 has appeared and opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Complaint Case No. 15 of 2017/Trial No. 720 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 **learned Additional Chief Judicial Magistrate-III, Rohtas at Sasaram**, 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 bond 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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