

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12844 of 2018

Arising Out of PS. Case No.-157 Year-2017 Thana- SANDESH District- Bhojpur

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1. Ratan Kumar @ Ratan Kumar Sao @ Ratan Sao, Son Of Late Madho Sao,
 2. Rekha Devi, Wife Of Ratan Kumar @ Ratan Kumar Sao @ Ratan Sao, Both Resident Of Village- Kori, P.S.- Sandesh, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan
For the Opposite Party/s : Smt. Reena Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Sandesh P.S. Case No. 157 of 2017 instituted for the offence under Sections 302/34 of the IPC.

It is alleged in the written report that on account of land dispute petitioner no. 1, who is own son of the deceased assaulted the deceased with iron rod on her head and she died.

Therefore, this court is not inclined to grant anticipatory bail to petitioner no. 1.

Accordingly, this anticipatory bail petition stands rejected with regard to petitioner no. 1.

The petitioner no.1 is directed to surrender in the



court below within six weeks from today and seek regular bail which will be considered by the court below in accordance with law and disposed off preferably on the same day, without being prejudiced by this order.

So far as petitioner no. 2, she is wife of petitioner no. 1, there is no specific allegation of assault against her.

In such circumstances, prayer for anticipatory bail of petitioner no. 2 is allowed and it is ordered that petitioner no. 2, named above, in the event of her 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) with two sureties of the like amount each in connection with Sandesh P.S. Case No. 157 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate, Bhojpur, Ara, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner 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 petitioner and (3) if the petitioner 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 petitioner.

(Sanjay Priya, J)

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