

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56527 of 2017

Arising Out of PS.Case No. -156 Year- 2017 Thana -BARH District- PATNA

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1. Ramakant Yadav, S/o Late Kamta Yadav.
 2. Manchan Devi, W/o Ramakant Yadav.
 3. Shiva Kumar Yadav @ Shiva Kumar, S/o Ramakant Yadav.
- All are Resident of Village- Harauli, Police Station Barh, District- Patna.
4. Uma Devi, W/o Rajiv Kumar Yadav.
 5. Rajiv Yadav @ Rajiv Kumar Yadav @ Rajiv Kumar, S/o Karu Yadav
- Both are Residents of Village- Masudpur, Police Station- Fatuha, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Premchandra Yadav, Advocate.
For the informant	:	Mr. Binay Kumar Singh, Advocate.
		Mr. Ravi Nandan, Advocate.
For the State	:	Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Barh P.S. Case No. 156 of 2017** instituted for the offence under Sections 363 and 366 of the Indian Penal Code. Subsequently, Sections 304(B), 201 and 34 of the Indian Penal Code was added.

It has been submitted that petitioners are family members of husband of the deceased. The case was initially registered for the offence under Sections 363 and 366 of the Indian Penal Code. Subsequently, after investigation, the police



submitted charge sheet against the husband of the deceased for the offence under Section 304(B) and 201/34 of the Indian Penal Code. The investigation against these petitioners is pending.

Learned counsel for the petitioners has submitted that in paragraph-36 of the case diary, it has come that the girl used to go out of her house voluntarily and for such disappearance, this petitioner also often used to search her.

Learned counsel for the informant has appeared and submitted that the victim girl was done to death in her Sasural and her dead body was got disappeared by accused persons.

Learned A.P.P. after perusing the case diary has submitted that there is no allegation of any specific overt act against these petitioners. The husband of the deceased is already in custody.

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 **Barh P.S. Case No. 156 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, Barh, Patna**, 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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