

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25770 of 2018

Arising Out of PS.Case No. -381 Year- 2017 Thana -BARHARIA District- SIWAN

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1. Gayatri Devi, w/o Rajesh Yadav,
2. Shailesh Kumar @ Shaulesh Kumar,
3. Shambhu Kumar, Both son of Rajesh Yadav,
All Resident of Village- Kanhauli, P.S.- Barharia, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kant, Advocate.

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-05-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Barharhia**
P.S. Case No. 381 of 2017 instituted for the offence under
Sections 302, 307/34 and 201 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
mother-in-law of the deceased has already been granted
anticipatory bail by a coordinate Bench of this Court vide order
dated 03.05.2018 passed in Cr. Misc. 27062 of 2018. These
petitioners are Gotni and her sons. The husband is already in
custody.

From the written report itself it appears that informant



is not an eye witness of the case. He learnt about the occurrence from his Nati Ankit Kumar aged above seven years.

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 **Barharhia P.S. Case No. 381 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 **Chief Judicial Magistrate, Siwan**, 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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