

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3546 of 2018

Arising Out of PS.Case No. -161 Year- 2010 Thana -KUDRA District- BHABHUA (KAIMUR)

- =====
1. Vidyawati Devi, Wife of Shri Santosh Kumar Singh, R/o Village- Kadawan, P.S.- Nokha, Distt- Rohtas.
 2. Rima Devi, Wife of Shri Tarun Kumar, R/o Village- Chamar Ahar, P.S.- Sheosagar, Distt- Rohtas.
 3. Kesho Singh, S/o Late Ram Bachan Singh, R/o Village- Chamar Ahar, P.S.- Sheosagar, Distt- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate.

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kudra P.S. Case No. 161 of 2010** instituted for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that petitioners were not sent up for trial and the police has submitted Final form against them. Thereafter, petitioners moved for quashing application under Section 482 Cr. P.C. vide Cr. Misc. No. 3035 of 2014 against order of cognizance in the Hon'ble Court which was finally dismissed by order dated 1.8.2017. The



further proceeding was stayed in quashing application by order dated 11.2.2014. Therefore, the petitioners did not move earlier for anticipatory bail.

In the written report suspicion has been raised against the petitioners by the informant of committing murder of sister of the informant. But subsequently, during investigation, in paragraph-47 of the case diary, the informant has alleged that Dilip Choudhary, husband of deceased has killed her. The petitioners are not even distant relation of husband of the deceased.

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 **Kudra P.S. Case No. 161 of 2010**, 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, Kaimur at Bhabua**, 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)

S.Ali/-

U		T	
---	--	---	--

