

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7240 of 2018

Arising Out of PS.Case No. -312 Year- 2017 Thana -FALKAHA District- KATIHAR

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1. Pantı Devi, w/o Lal Chand Mandal,
2. Pawan Mahaldar, S/o Biso Mahaldar,
3. Biso Mahaldar, s/o late Jaggan Mahto,
All are r/o village- Pir Mokam, P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-04-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Falka P.S. Case No. 312 of 2017** instituted for the offence under Section 365 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that petitioner No. 1 prior to lodging of the instant case has filed Complaint Case No. 2233 of 2017 against her husband (so called victim) for the offence under Section 498A of the Indian Penal Code.

In the instant case the informant has levelled allegation that her son had gone to his Sasural from where he is traceless. The informant raised suspicion against the petitioners. The petitioners are wife, father-in-law and brother-in-law of the victim.

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 **Falka P.S. Case No. 312 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, Katihar**, 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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