

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36266 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -MUSAHRI District- MUZAFFARPUR

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1. Ram Chandra Mahto, Son of Late Rijhan Mahto
2. Veena Devi Wife of Shree Ram Chandra Mahto Both residents of Village
- Naraulisen, Police Station - Mushahari, District - Muzaffarpur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-07-2018 Learned counsel for the petitioners submits that

Petitioner no. 1, Ram Chandra Mahto, has already been arrested

and therefore, his anticipatory bail petition has become

infructuous.

Accordingly, the anticipatory bail petition of petitioner

no. 1 is dismissed as has become infructuous.

Petitioner no. 2 apprehends her arrest in Mushahari P.S.

Case No. 23/2018, instituted for the offences punishable under

Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that

Petitioner no. 2 is mother-in-law of the deceased. In the fardbeyan,

there is general and omnibus allegation against the petitioner.



Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner no. 2 is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Mushahari P.S. Case No. 23/2018, she shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VIth, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner 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 petitioner.

(Sanjay Priya, J.)

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