

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42937 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- NAWANGAR District- Buxar

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1. Jay Kumar Choudhary, S/o Late Bihari Choudhary @ Late Ram Bihari Choudhari,
 2. Urmila Devi W/o Jay Kumar Choudhary,
 3. Renu Devi
 4. Pammi Kumari Both D/o Jay Kumar Choudhary, All R/o Vill.- Karsar, P.S.- Nawanagar (Sonbarsa) , District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-08-2018 Learned counsel for the petitioners has submitted that petitioner no.1 namely, Jay Kumar Choudhary has already been arrested. He seeks permission to withdraw the petition with respect to petitioner no.1

Accordingly, the petition with respect to petitioner no.1 is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 2 to 4 and learned APP for the State.

Petitioners apprehend their arrest in Nawanagar (Sonbarsa) P.S. case no. 59 of 2018 instituted for the offence under Section(s) 304 B and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that



petitioner no.2 is mother-in-law, petitioner no.3 is married *nanad* and petitioner no.4 is unmarried *nanad* of the deceased.

Learned counsel for the informant has appeared and submitted that dead body of the deceased was disposed of without informing the family members of the deceased.

Learned counsel for the petitioners has submitted that in the written report itself it is mentioned that earlier the informant also participated in the treatment of his daughter in Arrah hospital. He was with his daughter. There is no any allegation of specific overt act against these petitioner in the written report. They are ladies.

In the facts and circumstances of the case, prayer of the petitioner nos. 2, 3, and 4 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner nos.2,3 and 4 named above, within six weeks from today in connection with Nawanagar (Sonbarsa) P.S. case no. 59 of 2018, 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 the CJM, Buxar, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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