

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5747 of 2019

Arising Out of PS. Case No.-199 Year-2018 Thana- KUTUMBA District- Aurangabad

1. RANGA SINGH @ BHARAT KUMAR SINGH s/o Late Suman Singh Resident of village-Murila, P.S.-Kutumba, District-Aurangabad
2. Bablu Singh @ Bablu kumar s/o Late Suman Singh Resident of village-Murila, P.S.-Kutumba, District-Aurangabad
3. Deepak singh s/o Shridayal Singh Resident of village-Murila, P.S.-Kutumba, District-Aurangabad
4. Savita Devi w/o Sunil Singh Resident of village-Tipa P.S Nauthatta, District-Rohtas
5. Chanda Devi w/o Late Dharendra Singh @ Dharmendra Singh Resident of village-Chilhki, P.S.-Kutumba, District-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 01-05-2019 This anticipatory bail application has been listed before me on the basis of minutes of Hon'ble Chief Justice dated 25.02.2019.

Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Kutumba P.S. Case No. 199/2018, instituted for the offences under Section 302, 201/34 of the Indian Penal Code.

It is alleged in the written report that daughter of informant was married with Anand Singh (since deceased). It is



alleged that quarrel had taken place in the house between the deceased and his other family members. During quarrel the deceased (son-in-law of informant) was murdered by his family members. Daughter of informant Jyoti Devi was confined in the room and in the night the dead body of Anand Singh was disposed off.

Learned counsel for the petitioners has submitted that petitioner nos. 1 and 2 are own brothers of deceased and petitioner nos. 4 and 5 are married sisters of the deceased. In different paragraphs of case diary it has come that on 23.11.2018 the informant had come for *Bidai* of his daughter which was opposed by his son-in-law (since deceased) but informant forcibly took his daughter. Thereafter the deceased came back to his house in drunken state and began to vomit profusely in the night. In the next morning, the deceased was brought to hospital where he died during course of treatment. The informant was informed about the said incident. He had participated in the last rites of his son-in-law.

From the written report and the statement made in case diary there is no allegation of specific overt act against these petitioners.

Considering the facts and circumstances of the case, the 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 Kutumba P.S. Case No. 199/2018, 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 learned Chief Judicial Magistrate, Aurangabad, 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) 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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