

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30589 of 2019

Arising Out of PS. Case No.-270 Year-2018 Thana- MANIYARI District- Muzaffarpur

1. MAHESHWARI DEVI @ MANDESHWARI DEVI @ MADHESHWARI DEVI Wife of Late Jagdish Ram Resident of Village - Mahant Maniyari, Block- Kurhani, P.S.- Maniyari, Dist.- Muzaffarpur, Bihar.
2. Sanjay Sahni @ Sanjay Kumar Son of Chandrashekhar Sahni Resident of Village - Mahant Maniyari, Block- Kurhani, P.S.- Maniyari, Dist.- Muzaffarpur, Bihar.
3. Neelam Devi Wife of Late Shiv Lal Sah Resident of Village -Balra Kishun, P.S.- Maniyari, Dist.- Muzaffarpur, Bihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Pankaj

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Maniyari P.S. Case No. 270 of 2018 for the offence punishable under Section 304/34 of the Indian Penal Code.

It is alleged in the First Information Report that the persons, named therein, including these petitioners, had persuaded the wife of the deceased to accompany them in connection with some work under MANREGA. The deceased was protesting against the decision of his wife, Neelam Devi, to go with them and since, despite his protest, his wife accompanied the accused persons, he committed suicide.



Learned counsel appearing on behalf of the petitioners has submitted that no case is made out under Section 304 read with Section 34 of the Indian Penal Code against these petitioners.

On perusal of the First Information Report, I find that a case for anticipatory bail is made out. In paragraph 3 of this application, there is reference to several cases pending against petitioner No.2. Learned counsel appearing on behalf of the petitioners has submitted that in all such cases, the said petitioner has been granted either bail by the Court below itself or by the police. In one of the cases, he has been granted anticipatory bail by this Court. He has also contended that because petitioner No.2 is a social activist and in that connection, he participates in so many activities, most of them are of similar nature.

Considering the above, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on 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 J.M.-1st Class, Muzaffapur, in Maniyari P.S. Case No. 270 of 2018, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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