

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56187 of 2018

Arising Out of PS. Case No.-19 Year-2018 Thana- SURSAND District- Sitamarhi

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1. Israil Darzi @ Md. Israil Darzi, Son of Late Shakoor Darzi,
 2. Raushan Khatoon, Wife of Israil Darzi @ Md. Israil Darzi,
- Both resident of Village- Parsa, Police Station- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners, in the present case, are father-in-law and mother-in-law respectively, who are seeking anticipatory bail in connection with Sursand P.S. Case No. 19 of 2018 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that in this case the case diary was called for which has been received and on persual of the same it would appear that all the witnesses have made allegation as to the demand of motorcycle against the husband of the deceased. It is submitted that there is a general and omnibus allegations against these petitioners in order to



implicate them because they happen to be the parents of the husband of the deceased. It is further submitted that in paragraph 21 and 22 of the case diary, the statement of independent witnesses have been recorded in which it has come that there were differences between the wife and husband as a result of which the deceased had consumed poison. It has also come that she was taken to private doctor at Sitmarhi where she was declared dead. Attention of this Court has been drawn towards the statements present in paragraph 27 of the case diary wherein the father of the deceased has stated that the demand of motorcycle was made by the husband and he has not made specific allegation against these petitioners. He has simply stated that these petitioners were supporting their son.

Learned APP for the State is present and has opposed the prayer for bail as according to him these petitioners being the parents of the husband of the deceased do not deserve privilege of anticipatory bail.

In the facts and circumstances of the case considering the materials available in the case diary, this Court is inclined to grant anticipatory bail to the petitioners. In case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners shall be enlarged on bail on



furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 19 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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