

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43591 of 2019

Arising Out of PS. Case No.-766 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. SAMSA KHATOON Wife of Kamruddin Dewan Resident of Village - Mathiya, P.S.- Chiraiya, Distt - East Champaran.
 2. Kamruddin Dewan Son of Late Isha Dewan Resident of Village - Mathiya, P.S.- Chiraiya, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

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

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Muffasil P.S. Case No. 766 of 2018, disclosing offences under Sections 302 and 328 of the Indian Penal Code.

The deceased was married to the brother of petitioner no.1, nearly nine years before the date of occurrence.

It is alleged that the in-laws of the deceased were instrumental in getting the deceased killed.

Petitioner no.2 is the husband of petitioner no.1.

Learned counsel for the petitioners has submitted that they had no concern with the family of the husband of the deceased and they have been implicated because they are family



members of the husband of the deceased.

On perusal of the FIR, I find substance in the submission made on behalf of the petitioners.

This application is accordingly 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 bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 766 of 2018, subject to the condition 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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