

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 82530 of 2019**

Arising Out of PS. Case No.-224 Year-2019 Thana- MUSAHARI District- Muzaffarpur

1. SUDHIR RAM Son of Mahaveer Ram Resident of Village - Nawada, P.S.- Mushahari, Distt.- Muzaffarpur.
2. Nilam Devi W/o Sudhir Ram Resident of Village - Nawada, P.S.- Mushahari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with Mushahari Police Station (for brevity, *PS*) Case No 224 of 2019 dated 18.09.2019, GR No 5221 of 2019 instituted for the offence under Section(s) 304B/34 of the Indian Penal Code.

It is submitted by petitioners' counsel that being maternal uncle and aunt (*Mama* and *Mami*) of husband of the victim, they have been implicated in this case on extraneous considerations. The general and omnibus allegations, without attributing any specific instance against the petitioners, have been made. First information report also does not suggest that the petitioners



were living with the family of the victim's husband. In fact, the petitioners are separate and live away from the family of the victim and her husband. The petitioners are having no criminal antecedent.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate VI -cum- Sub Judge, Muzaffarpur in connection with Mushahari PS Case No 224 of 2019 dated 18.09.2019, GR No 5221 of 2019 subject to the conditions as laid down under Section 438(2) Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each



date and if they fail to do so on two consecutive dates, their bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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