

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3364 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- MAHILA PS District- Buxar

1. Savita Devi Wife of Shashi Bhushan Tiwari Resident of Village - Narhan, P.S. - Ramgarh, District - Kaimur (Bhabhua).
2. Shashi Bhushan Tiwari Son of Late Uma Shankar Tiwari Resident of Village - Narhan, P.S. - Ramgarh, District - Kaimur (Bhabhua).
3. Manish Tiwari son of Shashibhushan Tiwari Resident of Village - Narhan, P.S. - Ramgarh, District - Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rang Nath Choubey
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-03-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The instant application has been filed for grant of anticipatory bail in connection with Buxar (Mahila) P.S. Case No. 52 of 2019 registered under section 498A, 504, 506 and 34 of the Indian Penal Code and sections 3 and 4 of the D.P. Act.

It is submitted by learned counsel for the petitioners that the prayer for anticipatory bail filed by the petitioners in the Court below was allowed vide order dated 21.10.2019 passed in A.B.P. No.1033 of 2019 by the learned Sessions Judge, Buxar directing the petitioners to surrender within a period of 15 days



from the date of passing of the said order. It is submitted that as the petitioners could not surrender within the aforesaid period they filed an application for modification of the said order which was again allowed by order dated 21.10.2019 passed in A.B.P. No.1033 of 2019. The said modification application was allowed after imposing a fine of Rs. 2000/- directing the petitioners to surrender within 7 days from the date of passing of the said order. It is submitted that once again the petitioners could not surrender within the time stipulated in the said order. The cost of Rs.2000/- imposed by the said order was also not deposited.

It is submitted by learned counsel for the petitioner that the petitioners undertake to surrender in the court below within the time fixed.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, the petitioners are directed to deposit a sum of Rs. 10,000/- in the Patna High Court Legal Services Committee within a period of 4 weeks from today. They shall produce the receipt with respect to the deposit in the Court below. In the event of their arrest or surrender in connection with Buxar (Mahila) P.S. Case No. 52 of 2019, and on production of the aforesaid receipt of deposit



they will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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