

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83637 of 2019

Arising Out of PS. Case No.-471 Year-2019 Thana- GARKHA District- Saran

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1. Bhagwan Rai @ Shri Bhagwan Rai, Son of Late Rudal Rai
 2. Asha Devi, Wife of Bhagwan Rai @ Shri Bhagwan Rai, both are Resident of Village - Fursatpur, P.S. - Garkha, Dist. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 09-09-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The FIR reveals that the demand of motorcycle was specific by the husband and as a general and omnibus allegation against the other in-laws including the petitioners, who are parents of the husband. Husband of the victim is already in jail.

Perused the case diary.

Considering the fact that for the purpose of consideration of this prayer for anticipatory bail, there is lack of evidence that the petitioners were involved in torture of the victim



soon before her death, hence, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Garkha Police Station Case No. 471 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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