

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34508 of 2022

Arising Out of PS. Case No.-200 Year-2019 Thana- BIDUPUR District- Vaishali

1. MAMTA DEVI Wife of Ganesh Jha Resident of Village - Khilwat, P.S.- Bidupur, District- Vaishali.
2. GANESH JHA Son of Late Nandu Jha Resident of Village - Khilwat, P.S.- Bidupur, District- Vaishali.
3. ADARSH KUMAR JHA Son of Ganesh Jha Resident of Village - Khilwat, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Rajiv Nayan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 304(B) and 34 of the Indian Penal Code, registered in connection with Bidupur P.S.Case No. 200 of 2019.

As per FIR, the daughter of the informant was married to co-accused Saurav Kumar Jha in the year 2019. The



husband and her in-laws subjected her to cruelty. On 16.05.2019 at about 11.p.m. at night, the informant received an information that his daughter was done to death by her husband, father-in-law, brother-in-law and other accused persons. When the informant went there, nobody was present.

The learned counsel for the petitioners, at the very outset, has submitted that earlier the prayer for anticipatory bail of the petitioners was rejected by this Court vide Cr.Misc. No. 60964 of 2019 under order dated 16.10.2019, but the petitioners are renewing their prayer for anticipatory bail on the ground that the husband of the deceased Saurav Kumar Jha has been acquitted by the Sessions Court in Sessions Trial No. 322 of 2021. All the witnesses in that Sessions Trial have turned hostile resulting in acquittal of the husband.

Since the husband has been acquitted and the case of the petitioners, who are in-laws is on better footing than that of the husband of the deceased, considering the above facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of learned CJM,



Vaishali at Hajipur in connection with Bidupur P.S. Case No. 200 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

The petitioners shall appear on each and every date in the court below till framing of charge; otherwise the learned court below shall be at liberty to cancel their bail bonds.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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