

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59509 of 2023

Arising Out of PS. Case No.-449 Year-2023 Thana- FORBESGANJ District- Araria

1. BIJALI DEVI W/O BADRI MANDAL R/O VILLAGE- BHATTABARI, WARD NO. 9, PS. FORBESGANJ, DIST. ARARIA
2. BADRI MANDAL S/O LAKHAN MANDAL R/O VILLAGE- BHATTABARI, WARD NO. 9, PS. FORBESGANJ, DIST. ARARIA
3. VIKASH KUMAR @ VIKASH KUMAR MANDAL S/O BADRI MANDAL R/O VILLAGE- BHATTABARI, WARD NO. 9, PS. FORBESGANJ, DIST. ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-10-2023 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Forbesganj P.S. Case No. 449 of 2023 for the offence registered under sections 304(B) and 34 of the Indian Penal Code lodged on 22.05.2023 by the informant, Pramod Mandal.

3. As per the prosecution story, the informant alleged that her niece was married with co- accused Jiwacch Mandal, son of Badri Mandal about 7 years ago and blessed with child. However, she was subjected to cruelty and finally on 21.05.2023



they killed her. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that it is a suicidal case in which each and every one in the family has been implicated which include the female inmates too. Further submission is that the husband (Jiwacch Mandal) is in custody since 27.05.2023.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the submissions put forward by the learned Counsel for the petitioners as also that the petitioners herein are aged mother-in-law, father-in-law as also young brother-in-law, the husband is in custody and they will be diligently appearing in trial, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 449 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

8. With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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