

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68255 of 2022

Arising Out of PS. Case No.-379 Year-2021 Thana- MINAPUR District- Muzaffarpur

1. CHANDA KUMARI WIFE OF CHANDAN KUMAR R/O VILLAGE-MUKSUDPUR, P.S.- MINAPUR, DISTRICT- MUZAFFARPUR
2. CHANDAN KUMAR @ CHANDAN SAH @ CHANDAN KUMAR SAH SON OF JAGANNATH SAH @ JAGRANATH SAH R/O VILLAGE-MUKSUDPUR, P.S.- MINAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Poonam Kumari, Adv., Mr. Brahmaputra Singh Ishu, Adv.
For the Opposite Party/s	:	Mr. Satyendra Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 26-04-2023

1. Heard both the parties.

2. The petitioners seek bail in anticipation of their arrest in connection with Minapur P.S. Case No. 379 of 2021, dated 14.10.2021, instituted for the offences under Sections 304(B), 34 of the I.P.C.

3. Learned counsel for the petitioners submits that the petitioners are the brother and his wife of the husband of the deceased. There is no specific allegation against them and they were living separately. The offence under Section 304B of the I.P.C. cannot be made out against them. Charge-sheet has already been filed against the other co-accused and it has been



found that the deceased was murdered by strangulation.

4. Learned APP opposes the prayer for bail.

5. Taking into consideration overall circumstances and the fact that the demand is by the husband and both the petitioners were living separately, I am inclined to grant anticipatory bail to the above named petitioners and in the event of arrest, they shall be released on bail subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are as under:-

I. The petitioners shall cooperate with the investigation and make themselves available for interrogation whenever required.

II. The petitioners shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer,

III. The petitioners shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

IV. The petitioners shall maintain law and order;

V. The petitioners shall, at the time of execution of the bond, furnish their address and mobile number to the



investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

VI. The petitioners shall surrender their passport, if any, before the investigating officer within a week and, if they does not possess any passport, they shall file an affidavit to that effect before the investigating officer;

VII. The petitioners shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 90

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