

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35702 of 2014

Arising Out of PS.Case No. -914 Year- 2013 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Vidya Devi Wife of Baidyanath Tiwary
2. Ved Prakash Tiwari Son of Baidyanath Tiwary Both resident of village-
Chandralay P.O. Chandralay, P.S.- Hajipur Sadar, District- Vaishali.
.... Petitioners

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.50349 of 2014

Arising Out of PS.Case No. -914 Year- 2013 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

Dhananjay Choudhary son of Sandeep Choudhary resident of village -
Randaha, P.S. Raja Pakar, District - Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.35702 of 2014)

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Madan Kumar(App)

(In Cr.Misc. No.50349 of 2014)

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Shailendra Kumar No.2 (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 27-03-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners, who are mother-in-law and brothers-in-law of the victim lady and face prosecution for offence under sections 302, , 201/34 of the Indian Penal Code and that there is no specific allegation of overt against them, inasmuch as the entire allegation of assault and killing is upon the husband of the victim lady, who



is already in custody, this Court taking into consideration that the petitioners have also got no criminal antecedent, would direct that if the petitioners, namely, Vidya Devi, Ved Prakash Tiwari and Dhananjay Choudhary, surrender before the court below within a period of four weeks from today, they shall 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 the Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Town P.S. Case No. 914/2013, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioners will give an undertaking that they will receive the police papers on the given date and

be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

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