

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45863 of 2015

Arising Out of PS.Case No. -173 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Chandan Das
2. Raj Kumar Das Both sons of Ganesh Das
3. Ganesh Das son of Late Dasai Das
4. Ranjana Devi @ Rajni Devi wife of Ganesh Das All residents of Village -
Raxaul Koiriya Tola, P.S. - Raxaul, District - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 02-11-2015 Having regard to the nature of allegation for offence under section 302/34 of the Indian Penal Code and that the informant claims that his daughter married to Raju Das was done to death by burning her in which apart from her husband Raju Das there was no role of the petitioners Chandan Das and Raj Kumar Das being Dewar and Bhaisur and petitioner no.3 is the father-in-law whereas petitioner no.4 is the Nanad of the deceased, this Court by taking into account that the main allegation is only against Raju Das and that the informant also was not an eye witness, as well as the petitioners have got no criminal antecedent, would direct that if the petitioners, namely, 1. Chandan Das, 2. Raj Kumar Das, 3. Ganesh Das and 4. Ranjana Devi @ Rajni Devi, 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 Sub-divisional Judicial Magistrate, Raxaul, Motihari, East Champaran in Raxaul P.S. Case No. 173/2015, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) 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 petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(iii) 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.

(iv) 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.

(v) 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.

(Mihir Kumar Jha, J)

surendra/-

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