

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45868 of 2015

Arising Out of PS.Case No. -425 Year- 2015 Thana -SITAMARHI District- SITAMARHI

- =====
1. Sanyog Rai S/o Late Rameshwar Ray
 2. Kishun Devi W/o Sanyog Rai
- Both are Resident of Village Pamra, Police Station and District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Abhay Kr. 1(APP)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 02-11-2015 Heard learned counsel for the parties.

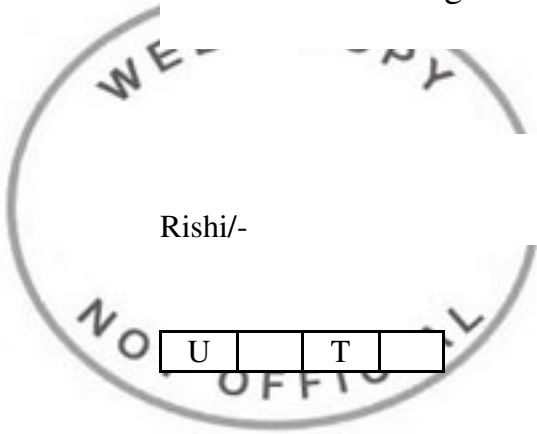
Having regard to the nature of allegation for offence under Sections 363 and 366A of the Indian Penal Code and that not only the victim lady is present in the court room but in fact has also sworn and filed her affidavit in support of the petitioners stating that the two petitioners are not only her father-in-law and mother-in-law but in fact have been falsely roped in this case, inasmuch as, she had been married to the son of the petitioners, namely, Indal Rai on 11.8.2015 as is also supported from the marriage certificate issued by Arya Samaj, Mujaffarpur, this Court, by taking into account that the petitioners also have no criminal antecedent, would direct that if the petitioners, namely, Sanyog Rai and Kishun 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 Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 425 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative of the petitioners, who will undertake 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 affidavit shall clearly state that the petitioners are not an accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they 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 be well represented on each and every date in course 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)