

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45831 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -UPHARA District- AURANGABAD

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1. Bhim Yadav S/o Late Moti Yadav
2. Suryamani Devi @ Suryamani Devi W/o Bhim Yadav
Both resident of village - Amarpur, P.S. Uphara, District - Aurangabad (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-10-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-306/34 of the Indian Penal Code and that the petitioners are the Father-in-Law and Mother-in-Law of the victim lady and that they have neither any criminal antecedent nor there is any direct allegation of their involvement, inasmuch as, the husband against whom such allegation was there, has already been arrested and thereafter granted regular bail under the order of this Court dated 25.08.2015 passed in Criminal Miscellaneous No. 36530 of 2015, this Court would be

inclined to grant privilege of anticipatory bail to both the petitioners.

That being so, if the **petitioner no. 1, Bhim Yadav** and **petitioner no. 2, Suryamani Devi**, surrender within a period of four weeks from today, they would 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 **S.D.J.M. Daudnagar, Aurangabad** in connection with **Uphara P.S. Case No. 39 of 2015**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be 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 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 their 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 delays 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.

Ranjan/-

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(Mihir Kumar Jha, J)