

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45223 of 2014

Arising Out of PS.Case No. -255 Year- 2014 Thana -BAHERA District- DARBHANGA

1. Kalewar Devi Wife of Lal Babu Yadav
2. Lalbabu Yadav Son of Late Ram Prasad Yadav
3. Lalpari Devi Daughter of Late Ram Prasad Yadav
All resident of Jaintipur Dath, P.S.- Bahera, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Prasad Yadav, Advocate.

For the Opposite Party/s : Mr. Shyam Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 07-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 302/34 of the Indian Penal Code and that the case subsequently found to be true under Section 306/34 of the Indian Penal Code and that the petitioner nos. 1, 2 and 3 are sister-in-law (Gotani), brother-in-law (Bhaisur) and the sister-in-law (Nanad), this Court, by taking into account that the main allegation would surface against the husband of the deceased lady, namely, Liladhar Yadav and that the petitioners have also got no criminal antecedent, would direct that if the petitioners, namely, Kalewar Devi, Lalbabu Yadav and Lalpari Devi, surrender before the court below within a period of four weeks from today, she shall be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Banipur, Darbhanga in

connection with Bahera P.S.Case No. 255 of 2014, subject to the following conditions:

- (i) That both the bailors will be close family relatives 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 addresses of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not 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 their 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 fails to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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