

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50724 of 2015

Arising Out of PS.Case No. -112 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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1. Geeta Devi Wife of Shree Aditya Narayan Rai @ Shibi Rai, Resident of Village - Maricha, P.S. - Tajpur (Halali), District - Samastipur.
2. Bijli Rai, Son of Shree Kailash Rai, resident of village - Chakphatch, P.S. - Jandaha, District - Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Ranjan Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304 B, 201 and 34 of the Indian Penal Code registered in connection with Tajpur (Halai) P.S. Case No. 112 of 2015.

3. It is submitted that the petitioners have been falsely implicated as the deceased was suffering from mental disease and had committed suicide. It is further submitted that the thrust of accusation is against the co-accused Pankaj Kumar being husband of the deceased, who is already in custody. The accusations against the petitioners being mother-in-law of the deceased and son-in-law of petitioner no.1 are general and omnibus without any specific accusation of demand for dowry or assault attributed to them.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Tajpur (Halai) P.S. Case No. 112 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and also subject to the following further conditions:-

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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