

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46951 of 2014

Arising Out of PS.Case No. -211 Year- 2013 Thana -AMARPUR District- BANKA

=====

1. Sakuntala Devi @ Pramila Devi W/o Kapildeo Sah
2. Kapildeo Sah S/o Late Hriday Narayan Sah, both resident of Village Fullidumar, P.S. Amarpur (Fullidumar), District Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-02-2015

Heard the parties.

The petitioners, who are mother-in-law and father-in-law respectively of the deceased, seek bail in a criminal prosecution registered under Section 304(B)/34 of the Indian Penal Code.

It is submitted that the petitioners are very old persons aged about 70 and 75 years respectively and suffering from various old age diseases. It is further submitted that the husband of the deceased, the main culprit, has already surrendered in the court below and is behind bars. It is also highlighted that the petitioners are in judicial custody since 14.07.2014.

Learned APP opposed the prayer for bail, but has not disputed the aforesaid submissions.

In above view of the matter, the prayer for bail is allowed. The above named petitioners are ordered to be released on bail on furnishing bail bonds of Rs.25,000/-(Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in

connection with Amarpur (Fullidumar) P.S.Case No. 221 of 2013,
subject to the following conditions:

(A) one of the bailors of each of the petitioners must be government servant or close family members of the petitioner who will file an affidavit in the court below showing their relationships with the petitioners,

(B) if the petitioners are found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in persons or through representation by their lawyer on each and every dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Prasad Verma, J)

Tahir/-

U		T	
---	--	---	--