

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36891 of 2014

Arising Out of PS.Case No. -45 Year- 2014 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Idrish Mian Son of Late Abdul Mian
2. Sagir Mian Son of Late Abdul Mian
3. Waish Ansari Son of Sagir Mian All resident of village- Motipur, P.S.-
Bairiya, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-04-2015 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), 201/34 IPC
registered in connection with Bairiya P.S. Case No. 45 of
2014.

3. It is submitted that the petitioners have been
falsely implicated as there is inordinate delay in instituting
the FIR on 08.03.2014 for the alleged occurrence of
20.02.2014. The petitioner nos. 1 and 2 persons of
advanced age and being uncles were separated from the
husband of the deceased and petitioner no. 3 is the cousin
of the husband of the deceased having no concern with their

affairs. The petitioners claim clean antecedents.

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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bairiya P.S. Case No. 45 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C., 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 as and when required 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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