

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45228 of 2014

Arising Out of PS.Case No. -293 Year- 2013 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Dwarika Bin @ Dwarika Mukhiya S/o Late Bhikhari Bin
2. Gyanti Devi W/o Dwarika Bin
3. Sadhu Bin @ Charanjit Kumar S/o Dwarik Bin
4. Ritmala Kumari @ Mala Kumari D/o Dwarika Bin
All Resident of village- Belbagi, Naya Basti, P.S.- Yogapatti (Sanichari),
District- West Champaran
5. Pannalal Bin @ Pannalal Mukhiya S/o Late Bhikhari Bin Resident of
village- Belbagi, Naya Basti, P.S.- Yogapatti (Sanichari), District- West
Champaran. At Present resident of village- Maugampur, P.S.- Srinagar,
District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Gulnar Begum (App)

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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 against the petitioners for offence under Sections 304(B) and 201/34 of the Indian Penal Code and that the petitioner 1 is the father-in-law, petitioner 2 is the mother-in-law, petitioner no. 3 is the unmarried brother-in-law (Devar) and petitioner no. 4 is the unmarried sister-in-law, this Court, taking into account the undertaking given by the learned counsel for the petitioners that the main accused who is the husband of the deceased lady namely Yugesh Bin would



surrender within a period of three weeks from today, would direct that if the petitioner nos. 1 to 4, namely, Dwarika Bin @ Dwarika Mukhiya, Gyanti Devi, Sadhu Bin @ Charanjit Kumar and Ritmala Kumari @ Mala Kumari surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran in connection with Yogapatti (Sanichari) P.S. Case No. 293 of 2013 subject to the following conditions:

- (i) Such bail shall be granted to the petitioners only after the court below finds that the accused Yugesh Bin has already surrendered and/or arrested.
- (ii) 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.
- (iii) 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.



(iv) 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.

(v) That the petitioners will be well represented on each and every date in course 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.

(Mihir Kumar Jha, J)

Sujit/-

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