

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39203 of 2015

Arising Out of PS.Case No. -128 Year- 2014 Thana -

BENIPATTI District- MADHUBANI

- =====
1. Devendra Mukhiya, Son of Parmeshwar Mukhiya.
 2. Upendra Mukhiya, Son of Parmeshwar Mukhiya.
 3. Sarobari Devi, Wife of Parmeshwar Mukhiya All are Resident of Village- Benipatti, P.S.- Benipatt, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. R.B.Roy Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Benipatti P.S. Case No.128 of 2014, disclosing offences under Sections 365 and 366/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioners, appears to be right in his submission that

the petitioners have been implicated in this case only because they are mother and brother of the co-accused, namely, Binde Mukhiya, against whom there is specific allegation of commission of offence, as alleged.

In view of the submission as above, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, Ist Class, Madhubani** in connection with **Benipatti P.S. Case No.128 of 2014**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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