

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6119 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -PARIHAR District- SITAMARHI

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1. Yogi Rai S/o- Saryug Rai
2. Dulariya Devi W/o- Yogi Rai, both R/o- Village- Laptalha, P.S.- Prihar,
District- Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. R.N.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 30-07-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 363, 366A, 372, 120B, 504/34 of the Indian Penal Code and that the alleged victim girl has not only been recovered but her statement has also been recorded under section 164 Cr.P.C. which goes to show that she had herself admitted to be married to Jitendra Rai, son of the petitioners, on her own free will and accord and in fact wanted to also live in the family of the petitioners, this Court will have no difficulty in granting privilege of anticipatory bail to the petitioners.

That being so, if the petitioners, namely, Yogi Rai and Dulariya Devi, 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/- (ten thousand) each with two sureties of

the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Parihar P.S. Case No. 157/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give 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 address of the petitioners.

(ii) That the bailor shall also state on affidavit that he 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 bail on the ground of misuse.

(iii) That the petitioners will be well represented on each and every date 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)

surendra/-

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