

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19793 of 2015**

Arising Out of PS.Case No. -201 Year- 2013 Thana -MARHAURA District- SARAN

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1. Bigan Rai son of Bhola Rai  
2. Geeta Devi wife of Bigan Rai  
3. Ravindra Rai son of Bhola Rai  
4. Deepak rai son of Bhola Rai  
All are resident of village + P.O.- Mubarakpur, P.S.- Marhaura, District-Saran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Adv

For the Opposite Party/s : Mr. Ram Naresh Rai (App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      18-08-2015      Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections- 201/34 of the Indian Penal Code and that they are either Brothers-in-Law or Sisters-in-Law, whereas the husband main accused namely, Balindra Rai as also Father-in-Law namely, Bhola Rai, being the main accused have already been acquitted by the trial Court by a judgment dated 22.07.2015, this Court keeping that the petitioners have also no criminal antecedent, would

be inclined to grant the privilege of anticipatory bail to the petitioners on a specific condition that they must remain present in course of their trial.

That being so, if the petitioners namely, **Bigan Rai, Geeta Devi, Ravindra Rai and Deepak Rai** surrender within a period of four weeks from today, they would 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 **9<sup>th</sup> Additional District Judge, Saran at Chpara** in connection with **Sessions Trial No. 543 of 2014 arising out of Marhaura P.S. Case No. 201 of 2013**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be 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.

(iii) 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.

(iv) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(v) 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)**

Ranjan/-

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