

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19699 of 2015**

Arising Out of PS.Case No. -4 Year- 2015 Thana -DEOKUND District- AURANGABAD

- =====
1. Kusum Devi W/O Kauleshwar Yadav
  2. Kauleshwar Yadav S/O Late Ram Pravesh Yadav,  
Both are R/O Village- Aurani Par, P.S.- Deokund, District- Aurangabad,

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

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

3      18-08-2015      Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 304(B)/34 of the Indian Penal Code and the fact that the petitioner no.1 is sister-in-law (Gotni) and petitioner no.2 is the elder brother of the husband of the deceased (Vaisur) and that the husband, namely, Dinesh Yadav is already in custody, this Court, taking into account that both the petitioners have got no criminal antecedent and that the main role in the alleged offence is of the husband, would direct the petitioners, namely, Kusum Devi and Kauleshwar Yadav to surrender before the court below within a period of four weeks from today and if they do so, they will be released on bail on furnishing on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, Daudnagar, Aurangabad in connection with Deokund P.S.

Case No. 4/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative 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 address of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not an accused in any other case and if they are, they shall not be released on bail.
- (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 bail on the ground of misuse.
- (iv) 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)**

Rishi/-

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