

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43550 of 2016

Arising Out of PS. Case No. -107 Year- 2015 Thana -ADAPUR District- EASTCHAMPARAN
(MOTIHARI)

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1. Shiv Kumari Devi, Wife of Fuldeo Singh
2. Fuldeo Singh Son of Late Kuwar Singh
Both residents of village- Sirisiya, P.S. - Nakardeyi, District- East
Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Abhishek Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-10-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 26.07.2016 in connection with Adapur P.S. Case No. 107 of 2015 for the offences alleged under Sections 304B, 201 and 34 of the Indian Penal Code.

3. It is submitted that the accusations are general and omnibus in nature against the petitioners who have been implicated merely because they happen to be the parents of the husband of the deceased. It is stated that the petitioners were living separately from the deceased and her husband. It is submitted that there is inordinate delay in lodging the FIR on 15.06.2015 for the alleged occurrence of 12.06.2015. Similarly situated accused persons, namely, Khushbu Singh, Jaljit Singh @ Daljit Singh @ Daljit Kumar Singh and Bajrangi Singh @ Bajrangi Kumar Singh have been granted anticipatory bail by this Court in Cr. Misc. No. 38157 of 2015. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be

released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Adapur P.S. Case No. 107 of 2015 with the following conditions:

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner no. 1 will be well represented and petitioner no. 2 shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

B.T/Ibrar

(Vikash Jain, J)

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