

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36410 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -KHAJAULI District- MADHUBANI

- =====
1. Dharm Nath Singh, Son of Musaharu Singh
 2. Binda Devi, Wife of Dharm Nath Singh
 3. Ram Prit Singh, Son of Late Nevi Singh
- All residents of Village Kasama Marar, P.S. Khajauli, District-
Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Bimal Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 364 and 394 read with Section 34 of the
Indian Penal Code registered in connection with Khajauli P.S. Case
No. 76 of 2016.

3. It is submitted that the petitioners have been falsely
implicated on mere suspicion and the accusation in the FIR is
general and omnibus in nature. The thrust of accusation is against
one Ram Dayal Singh and the husband of the informant's daughter,
as evident from the latter's deposition recorded under Section 164
Cr.P.C. The said two persons have already been granted bail by the
learned Court below and anticipatory bail by this Court in Cr. Misc.
No. 36855 of 2016, respectively. The case of the petitioners stands
on a better footing than that of her husband and Ram Dayal Singh.
Petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and
circumstances of the case, in the event of the petitioners' arrest or

surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Vivek Vishal, learned Judicial Magistrate Ist Class, Madhubani in connection with Khajauli P.S. Case No. 76 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further 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) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no. 2 will be well represented in Court and petitioner nos. 1 and 3 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.

(Vikash Jain, J)

B.T/Chandran

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