

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34030 of 2016

Arising Out of PS.Case No. -42 Year- 2014 Thana -DUMARIA District- GAYA

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1. Gauri Devi Wife of Late Kesho Ram
2. Sikandar Kumar @ Sikendra Kumar, son of Late Kesho Ram,
3. Babita Devi @ Babita Kumari Daughter of Late Kesho Ram.
All Resident of Village- Mangiya Tola Bahera Dih, P.S. Dumariya,
District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arvind Kumar Singh, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304(B)/34 of the Indian Penal Code registered in connection with Dumaria P.S. Case No. 42 of 2014.

3. It is submitted that the petitioners have been falsely implicated as they were living separately from the deceased and her husband. The husband has already been taken into custody. As evident from the order of the learned Sessions Judge, Gaya, some of the witnesses have stated that the petitioners were not present at the house at the time of occurrence and it was a case of suicide.

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 bond of Rs. 10,000/- (ten

thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghatti (Gaya) in connection with Dumaria P.S. Case No. 42 of 2014, 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 close relative.

(ii) 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.

(iii) The petitioners will be well represented 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.

Md. Ibrarul/BT

(Vikash Jain, J)

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