

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29691 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -UCHAKAGAON District- GOPALGANJ

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1. Ram Lakhan Prasad Gupta @ Ram Lakhan Pd. Gupta, S/o Late Gopalji Prasad Gupta,
 2. Prabhawati Devi, W/o Sri Ram Lakhan Prasad Gupta @ Ram Lakhan Pd. Gupta Hargovind Manjhi, Both resident of Village- Sakhe Khash, P.S.- Uchakagaon, District- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Pratap Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 23.02.2017 in connection with Sessions Trial No. 710 of 2016 arising out of Uchakagaon P.S. Case No. 43 of 2016 for the offences alleged under Sections 341, 323, 307/34 of the Indian Penal Code.

3. It is submitted that the petitioners who are the father-in-law and mother-in-law of the deceased have been falsely implicated and the accusations in the F.I.R. are general and omnibus in nature. The deceased in fact committed suicide pursuant to a dispute between her and their son. In an attempt to save her, the son also sustained burn injuries and received treatment at the Nehru Hospital associated with B.R.D. Medical College, Gorakhpur which is said to be the Government Hospital. The petitioners along with their son were present at the time of investigation under Section 174 Cr. P.C. which is indicative of innocence. The husband of the deceased is already in custody. The petitioners claim clean antecedents.

4. Be that as it may, 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 A.D.J. III, Gopalganj, in connection with Sessions Trial No. 710 of 2016 arising out of Uchakagaon P.S. Case No. 43 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

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

(iii) That the petitioner no. 1 shall remain physically present and petitioner no. 2 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.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, 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.

Md. Ibrarul/-

(Vikash Jain, J)

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