

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51633 of 2017

Arising Out of PS.Case No. -177 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. Vijay Rai, S/o Prabhu Rai,
2. Abhay Rai S/o Shankar Rai,
Both R/o Village- Sultanpur Chhaurahi, P.S.- Patori, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 15.05.2017 in
connection with Patori P.S. Case No. 177 of 2017 for the offences
alleged under Sections 304(B)/34 of the Indian Penal Code.

3. It is submitted that the petitioners have been
falsely implicated merely because they happened to be co-villager
and *gotiya* of the husband of the deceased respectively. Similarly
situated co-accused Sanjit Rai has been granted bail by this Court in
Cr. Misc. No. 41706 of 2017. The petitioner claims 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 Chief Judicial Magistrate, Samastipur, in connection with Patori P.S. Case No. 177 of 2017, 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 petitioners 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.

(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.

(Vikash Jain, J)

Md. Ibrarul/BT

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