

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37085 of 2017

Arising Out of PS.Case No. -207 Year- 2016 Thana -DARBHANGA District- DARBHANGA

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1. Swami Sharan Kapri, Son of Late Anuplal Kapri,
2. Birendra Sah Son of Swami Sharan Kapri,
Both are resident of Mohalla- Ratnapatti, P.S.- Town, District-
Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar Das, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 09-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 23.04.2017 in connection with Town P.S. Case No. 207 of 2016 for the offences alleged under Sections 304(B) of the Indian Penal Code.

3. It is submitted that the petitioners being the father-in-law and brother-in-law of the deceased respectively have been falsely implicated. It is submitted that the petitioner no. 1 is a person of advanced age and petitioner no. 2 is residing at Delhi working as labourer. The deceased and her husband were living separately and the petitioners had no concern with their day to day affairs of the family members. Petitioners claim clean antecedent.

4. Learned APP opposes the bail petition, submitting that the offence alleged is serious in nature. However, he is unable to point out any specific material in the case diary against the petitioner.

5. 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, Darbhanga, in connection with Town P.S. Case No. 207 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 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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