

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2071 of 2018

Arising Out of PS.Case No. -199 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Meena Devi @ Ranjan Devi, wife of Ram Prasad Sharma, Resident of Village Kumadan Tola Ward No. 03, P.S. Bakhtiarpur, District Saharsa.
 2. Mantosh Kumar @ Mantosh Sharma, Son of Ram Prasad Sharma, Both resident of Village Kumadan Tola Ward No. 03, P.S. Bakhtiarpur, District Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 05.07.2017 in connection with Bakhtiarpur P.S. Case No. 199 of 2017 for the offences alleged under Sections 302 and 324/34 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated in connection with death of the informant's father and the thrust of accusation of assault upon him is on the co-accused Santosh Kumar and Ram Prasad Sharma, who are also said to have assaulted him. There is no accusation of any overt act or assault by the petitioners. Admittedly there was a land dispute between the parties who are all relatives of each other. Similarly situated co-accused Ram Prasad Sharma has been granted bail by this Court in Cr. Misc. No. 1157 of 2018. 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 Chief Judicial Magistrate, Saharsa, in connection with Bakhtiarpur P.S. Case No. 199 of 2017, on the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That the petitioner no. 1 will be well represented and petitioner no. 2 shall remain physically present on each and every date during trial in court 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)

B.T/Chandran

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