

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7478 of 2019

Arising Out of PS. Case No.-34 Year-2018 Thana- MAHILA PS District- Gopalganj

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1. MAHASHRAY RAM, son of Late Bhola Ram Resident of Village-Loharpatti Pollice Station-Kuchaikote District-Gopalganj
 2. Gyani Devi, wife of Mahashray Ram Resident of Village-Loharpatti Police Station-Kuchaikote District-Gopalganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Saroj Devi, wife of Mangesh Kriplani Daughter of Late Jagan Ram Resident of Village-Mahaicha Police Station-Uchkagaon District-Gopalganj, at present resident of village-Manikpur Police Station-Gopalganj Town District-Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406, 498A and 34 IPC and Section 3 and 4 of the D.P.Act registered in connection with Gopalganj (Mahila) P.S. Case No. 34 of 2018, GR No. 5049 of 2018.

3. It is submitted that the petitioners have been falsely implicated and they happen to be the phufa and phufi respectively of the informant and in any event the ingredients of the offence alleged are not made out against the petitioners in absence of any demand attributed to them. The petitioners claim clean antecedents.

4. Be that as it may, 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 SDJM, Gopalganj, in connection with Gopalganj (Mahila) P.S. Case No. 34 of 2018, GR No. 5049 of 2018 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 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 co-operate 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.
- iv. The petitioner no.1 shall remain physically present and petitioner no. 2 shall 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.

(Vikash Jain, J)

Chandran/-

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