

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10128 of 2019

Arising Out of PS. Case No.-25 Year-2018 Thana- JHAJHA District- Jamui
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1. Shyama Devi @ Sama Devi, female, aged about 43 years, Wife of Munna Rawat
2. Munna Rawat, male, aged about 49 years, Son of Late Huro Yadav
Both Resident of Village- Sohjana, P.S.- Jhajha, District- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Satya Prakash Parasar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304B/34 of the Indian Penal Code registered in connection with Jhajha P.S. Case No. 25 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the parents-in-law of the deceased. The accusations are general and omnibus in nature and no specific overt act has been assigned to the petitioners. There is delay of more than three months in institution of F.I.R. on 18.01.2018 for the alleged occurrence of 02.09.2017. The petitioners claim to have living separately from the deceased and her husband. The husband of the deceased has already in custody. 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 Sub-Divisional Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 25 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

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

(iii) That 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.

(iv) That the petitioner nos. 1 shall be well represented and petitioner no. 2 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.

(Vikash Jain, J)

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