

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9582 of 2019

Arising Out of PS. Case No.-203 Year-2018 Thana- LAKHNAUR District- Madhubani

1. Ful Devi , aged abut 40 years, Gender-Female, W/o Brahmdev Kamath
 2. Tirpit Kamat, aged about 65 years, Gender-Male, son of Bhogilal Kamath
- All are resident of village-Deep, P.S. - Lakhnaur, District -Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Jagnnath Singh, Advocate
For the Opposite Party	:	Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 26-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 306, 201 and 34 of the Indian Penal Code registered in connection with Lakhnour (R.S. O.P.) P.S. Case No. 203 of 2018.

3. It is submitted that the petitioners have been falsely implicated and even according to the FIR itself, the deceased committed suicide as she was opposed to the proposal for marriage fixed with a person of her parents' choice at Mumbai. It is therefore submitted that the ingredients of Section 306 of the IPC are not made out against the petitioner. It is further submitted that the accusation of disposing of the dead body of the deceased is general and omnibus and not specifically alleged against the petitioners. It is a matter of fact that the dead body of the deceased was disposed of by the villagers in which the petitioners had no role to play. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Lakhnour (R.S. O.P.) P.S. Case No. 203 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further 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 petitioner no. 1 shall be well represented in court on each and every date during trial except as and when directed by the learned court to be physically present 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.

(iv) 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.

(Vikash Jain, J)

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