

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14670 of 2019

Arising Out of PS. Case No.-13 Year-2018 Thana- MAHILA P.S. District- Saran

1. SAMIYUN KHATOON Wife of Late Niyamuddin Khan Resident of Village - Chandauli Gangauli, P.S.- Jiradei, District - Siwan.
2. Sakila Khatoon Wife of Late Mannan Khan Resident of Village - Chandauli Gangauli, P.S.- Jiradei, District - Siwan.
3. Irfan Khan @ Irfan @ Kari @ Kar Son of Late Mannan Khan Resident of Village - Chandauli Gangauli, P.S.- Jiradei, District - Siwan.
4. Baby Khatoon Wife of Sartaj Khan Resident of Village - Chandauli Gangauli, P.S.- Jiradei, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341/323/379/498A/34 IPC registered in connection with Saran Sadar Mahila P.S. Case No. 13 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the parents and relatives of the informant. The accusations are general and omnibus and not specific against the petitioners. There is considerable delay in instituting the FIR on 26.03.2018 although it was alleged that the informantd was ousted from the matrimonial home on 01.01.2017. 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,Saran at Chapra, in connection with Saran Sadar Mahila P.S. Case No. 13 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 nos. 1, 2 and 4 will be well represented and petitioner no. 3 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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