

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14045 of 2019

Arising Out of PS. Case No.-769 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. Tetari Devi, aged about 52 years (F), Wife of Sukham Mahto
 2. Mukesh Mahto , aged about 23 years (M), Son of Sukham Mahto
Both residents of Village - Sighiya Biban, P.S.- Banjariya, District- East
Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs.Rashmi Jha, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304B, 201, 34 of the Indian Penal Code registered in connection with Turkauliya (Banjariya) P.S. Case No.769 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the mother-in-law and brother-in-law of the deceased. It is submitted that the petitioners were living separately from the husband of the deceased and they had no concern with the day-to-day affairs. The husband of the deceased is already in jail 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No.769 of 2018, subject to the conditions as laid down under Section 438 (2) 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 will 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.

(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.

BT/-

(Vikash Jain, J)

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