

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17568 of 2019**

Arising Out of PS. Case No.-35 Year-2018 Thana- ATRI District- Gaya
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1. Meena Devi, female, aged about 48 years, Wife of Harinandan Yadav Resident of Village- Narawat, P.S.- Atri and District- Gaya.
2. Harinandan Yadav, male, aged about 55 years, Son of Late Rambali Yadav Resident of Village- Narawat, P.S.- Atri and District- Gaya.
3. Rajnish Yadav @ Ranjish Kumar @ Rajnish Kumar @ Ranjish Yadav, male, aged about 25 years, Son of Harinandan Yadav Resident of Village- Narawat, P.S.- Atri and District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party
=====

Appearance :

For the Petitioners : Mr. Manish Kumar No2, Advocate.

For the Opposite Party: APP
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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-03-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 302 and 201 of the Indian Penal Code registered in connection with Atri P.S. Case No. 35 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the family members of the husband of the deceased. After due investigation, police has exonerated the petitioners and submitted final form. No complaint was ever made with regard to torture or demand in the past ten years since the deceased was married. The petitioners were living separately from the deceased and her husband and as such they had no concern with day to day matters. 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 Additional Chief Judicial Magistrate-XIIIth, Gaya in connection with Atri P.S. Case No. 35 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 no.1 shall be well represented and petitioner nos. 2 and 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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