

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19728 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- RAMGARHWA District- East
Champaran

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1. Anwar Ansari, aged about 44 years, Male, Son of Gayasudin Ansari Resident of Village - Narir Gir, Police Station - Ramgarhwa, District - East Champaran.
 2. Sadam Alam @ Sadam Ansari @ Saddam Ansari , aged about 23 years, Male, Son of Anwar Ansari Resident of Village - Narir Gir, Police Station - Ramgarhwa, District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Gopal Govind Mishra Mr. Munna Kumar Upadhyay, Advocates
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-04-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304(B)/34 of the Indian Penal Code registered in connection with Ramgarhwa P.S. Case No. 256 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the uncle-in-law of the deceased and his son respectively. The accusations against the petitioners are general and omnibus in nature and no specific overt act has been alleged against them. The deceased and her husband were living in House no. 34 whereas the petitioners, who were living separately in house no. 36, have no concern with the day-to-day matters. Petitioner no. 2 is a tailor and had been working in Nepal for the past two years. 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 Sub-Divisional Judicial Magistrate, Raxaul at Motihari, District East Champaran in connection with Ramgarhwa P.S. Case No. 256 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 the petitioners 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.

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(Vikash Jain, J)

