

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23296 of 2019

Arising Out of PS. Case No.-519 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

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1. KRISHNA KUMAR DATTA Son of Late Dukhaharan Deo Resident of Village- Manohar Bigha, Telhara, P.S.- Telhara, District- Nalanda, at present Mohalla- Chitragupta Nagar, near Munna Chauk, P.S.- Patrakar Nagar, District- Patna.
 2. Neha Sinha Wife of Late Rajesh Kumar Verma, D/o Krishna Kumar Datta Resident of Village- Manohar Bigha, Telhara, P.S.- Telhara, District- Nalanda, at present Mohalla- Chitragupta Nagar, near Munna Chauk, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramdeo Prasad Son of Late Gangeshwari Prasad Sharma Resident of Mangla Sthan, Ramchandrapur, P.S.- Biharsharif, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Dwivedy
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 306/34 IPC registered in connection with Complaint Case No. 519 of 2013 filed by the Complainant/Informant by way of Protest-cum-Complaint Petition in Alamganj P.S. Case No. 142/2011.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the father-in-law and wife respectively of the deceased. The petitioner no. 1 had been granted anticipatory bail by the learned Court below in ABP No. 3415 of 2011 (Annexure-3), while the petitioner no. 2 was granted bail by this Court in Cr. Misc. No. 23123 of 2011 (Annexure-1). Final form had been submitted after investigation which was accepted by the learned Court below. Thereafter on a protest petition, which was considered as a



Complaint, cognizance has been taken against the petitioners. It is submitted that similarly situated co-accused Indu Sinha has since been granted anticipatory bail by this Court in Cr. Misc. No. 16263 of 2019 (Annexure-10). 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, Patna City, Patna, in connection with Complaint Case No. 519 of 2013, filed by the Complainant/Informant by way of Protest-cum-Complaint Petition in Alamganj P.S. Case No. 142/2011, 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 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.

(Vikash Jain, J)

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