

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23727 of 2019

Arising Out of PS. Case No.-299 Year-2016 Thana- MAJORGANJ District- Sitamarhi

1. Rajaram Sah, Age 45 Years, Gender Male S/o Mahendra Sah
2. Niras Devi Age 35 Years, Gender Female W/o Rakesh Sah
3. Kanti Devi @ Champa Devi Age 60 Years, Gender Male Female, Mahendra Sah All resident of village- Mohni Mandal, P.S.- Mejarganj, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Virendra Kumar, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 498(A) of the Indian Penal Code registered in connection with Mejarganj P.S. Case No. 299 of 2016.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the Bhaisur, Gotini and the mother-in-law of the informant. The husband of the informant died earlier leaving behind three children and the accusations of torture in the circumstances are improbable. 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 them 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, Sitamarhi in connection with Mejarganj P.S. Case No. 299 of 2016, 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 petitioner no. 1 shall remain physically present in court on each and every date during trial; and petitioner nos. 2 and 3 shall be well represented in court on each and every date during trial as and when directed by the learned court to be physically present, 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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