

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22544 of 2019**

Arising Out of PS. Case No.-95 Year-2018 Thana- BACHHWARA District-
Begusarai

- =====
1. Banarsi Devi, female, aged about 75 years, Wife of Ramswarath Yadav @ Ramsogarath Yadav, Resident of Village-Narepur Pachim, P.S-Bachhwara, District-Begusarai.
 2. Suresh Yadav, male, aged about 30 years, Son of Ramswarath Yadav @ Ram Sogarath Yadav, Resident of Village-Narepur Pachim, P.S-Bachhwara, District-Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 120(B), 302 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Bachhwara P.S. Case No. 95 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of admitted land dispute between the parties. The petitioners are the step-mother and step-brother of the deceased husband of the informant. A categorical accusation of firing upon the deceased causing his death is upon co-accused



Bhushan Yadav and no accusation of assault whatsoever has been made against the petitioners. The accusation of instigating Bhushan Yadav and others is general and omnibus in nature. 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-VI, Begusarai in connection with Bachhwara P.S. Case No. 95 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 in Court on each and every date during trial except as and when



directed by the learned Court to be physically present and petitioner no.2 shall be physically present in Court on each and every date, 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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