

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23051 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- SUIYA District- Banka

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1. Sabiya Devi, aged about 50 years, Female, Wife of Jageshwar Yadav
 2. Jageshwar Yadav, aged about 55 years, Male, Son of Late Hiro Yadav Both are resident of Village - Jarua, P.S.- Suiya, District - Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Dhananjay Kumar Pandey, Advocate
For the Opposite Party : Mr.Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 326, 307 and 504/34 of the Indian Penal Code registered in connection with Suiya P.S. Case No. 98 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty family dispute. Petitioner no. 1 is *Gotini* of the informant and petitioner no. 2 is the husband of the petitioner no. 1. It has been noticed in the order of learned Additional Sessions Judge-IV, Banka dated 25.02.2019 passed in ABP No. 113 of 2019 that some of the witnesses have stated that the informant has set herself on fire in order to implicate the petitioners, who 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 Additional Chief Judicial Magistrate, 1st, Banka in connection with Suiya P.S. Case No. 98 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 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 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.

BT/-

(Vikash Jain, J)

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