

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27869 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- SITAMARHI District- Sitamarhi

1. Laxman Singh Aged about 55 years Sex Male, Son of Ramgulam Singh
 2. Anita Devi Aged about 50 years Sex female, W/o Laxman Singh
 3. Shail Kumari Aged about 19 years Sex female, D/o Laxman Singh
 4. Ajay Singh @ Ajay Kumar Aged about 30 years Sex Male, Son of Laxman Singh
- All residents of Village - Bhup Bhairo, P.S.- and District - Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dinesh Jha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-04-2019 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), 120(B) and 201 of the Indian Penal Code registered in connection with Sitamarhi P.S. Case No. 73 of 2019.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the father-in-law, mother-in-law, unmarried *Nanad* and brother-in-law respectively of the deceased. The petitioners have been living separately and have no concern with the day-to-day matters of the deceased and her husband. There is delay of four months in instituting the first information report on 29.01.2019 for the alleged occurrence of 07.09.2018. The accusations are general and omnibus in nature and no specific accusation of demand of dowry, torture or assault has been attributed



individually and no such complaint has been made against the petitioners in the past. 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 73 of 2019, subject to the conditions as laid down under Section 438 (2) 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 petitioner nos. 1 and 4 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 except 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.

(Vikash Jain, J)

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