

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29934 of 2019**

Arising Out of PS. Case No.-451 Year-2018 Thana- CHANPATIA District-
West Champaran

- =====
1. TRIVENI MAHTO @ CHOKAT MAHTO, aged about 56 years, male, Son of Late Chatthu Mahto Resident of Village - Tirhutiya Tola , Ward No.8, P.S.- Chanpatiya, Dist.- West Champaran.
 2. Kishori Devi, aged about 53 years, female, Wife of Triveni Mahto @ Chokat Mahto Resident of Village - Tirhutiya Tola , Ward No.8, P.S.- Chanpasiya, Dist.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 02-08-2019

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), 201 of the Indian Penal Code registered in connection with Chanpatia P.S. Case No. 451 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the parents-in-law of the deceased. It is submitted that the petitioners were living separately from their son and the deceased and had no concern with day to day matters. The deceased was married in the year 2016 and this is the first occasion of which the petitioners have been implicated. The accusations against the petitioners are general and omnibus in nature. A supplementary affidavit has been filed which is containing a statement that co-accused Santosh Prasad Kushwaha, husband of the deceased, has surrendered in the Court below and is in custody. 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 Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 451 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 nos. 2 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. 1 shall remain physically present in court on each and every date, and in the event of failure on two consecutive dates without sufficient reason, their bails bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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