

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31372 of 2019**

Arising Out of PS. Case No.-274 Year-2018 Thana- MAIRWAN District-
Siwan

- =====
1. SUDAMA YADAV, aged about 53 years, male, S/o Briksha Yadav R/o village- Fulwariya, P.S.- Mairwa, District- Siwan
 2. Lalan Yadav, aged about 43 years, male, S/o Briksha Yadav R/o village- Fulwariya, P.S.- Mairwa, District- Siwan
 3. Kashi Yadav, aged about 64 years, male, S/o Briksha Yadav R/o village- Fulwariya, P.S.- Mairwa, District- Siwan
 4. Urmila Yadav @ Urmila Devi, aged about 50 years, W/o Sudama Yadav R/o village- Fulwariya, P.S.- Mairwa, District- Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Akshay Lal Pandit, Advocate

For the Opposite Party: Mr. Ajay Kumar Tiwari, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 498(A), 304(B), 34 of the Indian Penal Code registered in connection with Mairwa P.S. Case No. 274 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be three uncles and an aunt of the husband of the deceased respectively. It is submitted that the petitioners were residing separately and had no concern with day to day matters with the deceased and her husband. Statement is made at the Bar that the husband of the deceased 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 Additional Chief Judicial Magistrate-VII, Siwan in connection with Mairwa P.S. Case No. 274 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. 4 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 nos. 1, 2, 3 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 bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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