

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37526 of 2019

Arising Out of PS. Case No.-153 Year-2018 Thana- MAHILA P.S. District- Patna

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1. Krishna Prasad Male aged about 65 years Son of Late Chetan Ram
 2. Shila Devi @ Srimanti Devi aged about 60 years, Wife of Krishna Prasad
Both resident of Mohalla-Rampur Garikhana near Devi Ashthan, P.S.-
Khagaul and District- Patna.

... .. Petitioners

Versus

1. The State of Bihar
2. Soni Kumari, Female, aged about 25 years Daughter of Suresh Das, wife of
Sunil Kumar At present residing at Mohalla- Rampur Garikhana near Devi
Asthana, Khagaul, P.S.- Khagaul, District- Patna.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Bijay Kumar, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 354(D), 509, 504, 379, 376(b) and 498(A)/34
of the Indian Penal Code registered in connection with Mahila P.S.
Case No. 153 of 2018

3. It is submitted that the petitioners have been falsely
implicated merely because they happen to be parents-in-law of the
informant. It is submitted that this is the first complaint of its nature
since the parties were married for more than a year. It further
transpires that the informant was married to one Sunil Kumar
against whom she has filed Maintenance Case No. 71(M) of 2018
under Section 125 of the Cr.P.C. 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) each with two sureties of like amount each to the satisfaction of Smt. Priya Shekhar, learned Judicial Magistrate, Patna in connection with Mahila P.S. Case No. 153 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 the petitioner no. 1 shall remain physically present in court on each and every date during trial and the petitioner no. 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 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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