

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37579 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- NARPATGANJ District- Araria

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1. JAGDISH YADAV Son of Late Sikram Yadav Resident of Village - Farhi, Ward No. 3, P.S.- Narpatganj, District- Araria
 2. Geeta Devi Wife of Pawan Yadav Resident of Village - Farhi, Ward No. 3, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-06-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 302/34 IPC registered in connection with Narpatganj P.S. Case No. 126/2019.

3. It is submitted that the petitioners have been falsely implicated in connection with petty disputes. The accusation of '*maar peet*' is general and omnibus in nature. Specific accusation of assault with axe on the head of the informant's wife is attributed to co-accused Ruban Yadav, as a result of which she was injured and fell down, on being taken to Referral Hospital she was declared dead. The petitioners claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned CJM,



Araria in connection with Narpatganj P.S. Case No. 126/2019 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 shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate 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.1 shall remain physically present and the petitioner no. 2 shall be well represented 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.

5. The provisional bail granted to the petitioners shall be confirmed upon verification that except injury on head of the deceased, there is no other injury on the body of the deceased and that the cause of death was owing to the head injury. In case the petitioners' claim fails upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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