

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39272 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- GOH District- Aurangabad
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1. MURTI DEVI, aged about 45 years, female, Wife of Bali Yadav Resident of Village-Neyamatpur, P.S.-Goh, District-Aurangabad (Bihar).
2. Bali Yadav, aged about 45 years, male, Son of Late Tufani Yadav Resident of Village-Neyamatpur, P.S.-Goh, District-Aurangabad (Bihar).
3. Sunaina Devi, aged about 35 years, female, Wife of Raju Yadav Resident of Village-Neyamatpur, P.S.-Goh, District-Aurangabad (Bihar).
4. Raju Yadav, aged about 36 years, male, Son of Bali Yadav Resident of Village-Neyamatpur, P.S.-Goh, District-Aurangabad (Bihar).
5. Ashok Yadav, aged about 32 years, male, Son of Late Bali Yadav Resident of Village-Neyamatpur, P.S.-Goh, District-Aurangabad (Bihar).
6. Manita Devi, aged about 30 years, female, Wife of Ashok Yadav Resident of Village-Neyamatpur, P.S.-Goh, District-Aurangabad (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjit Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 02-07-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 504, 427, 448 of the Indian Penal Code registered in connection with Goh P.S. Case No. 01 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of quarrel between the children of the parties. Statement is made at the Bar that the injuries are simple in nature. 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 provisional 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, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 01 of 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 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. 1, 3 and 6 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. 2, 4 and 5 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.

5. The provisional bail granted to the petitioners shall be confirmed upon verification by the learned Court below, preferably within a further period of four weeks after furnishing bail bonds, that none of the injuries sustained by the informant's side is grievous in nature, failing which their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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