

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61980 of 2018

Arising Out of PS. Case No.-549 Year-2018 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. PRITEE @ PRITI @ Priti Kumari @ Prity Kumari W/o Raja @ Raja Kumar
 2. Raja @ Raja Kumar, Son of Tuntun Prasad Gupta, Both Resident of Mohalla-
Majhauriya, P.O.-Khabra, P.S.-Sadar, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.V.R.P.Singh,
Mr.Arvind Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-02-2019 Heard learned counsel for the petitioners and learned APP for the
State.

2. The petitioners apprehend their arrest for the offences alleged
under Sections 306/34 IPC registered in connection with Nagar
(Town) P.S. Case No. 549/2018, G.R. No. 4876 of 2018.

3. It is submitted that the petitioners have been falsely implicated
on mere suspicion except which there is no other material to connect
the petitioners with the alleged occurrence. The only allegation in the
FIR against the petitioners is that they are said to have tortured the
informant's son and there is no whisper about the petitioners that they
had in any event abetted his suicide. It is stated in the FIR itself that
the petitioner no. 1 was on good terms with the deceased who was her
uncle (Mauza). The petitioners claim clean antecedents.

4. Learned APP has not pointed out any objective material
from the case diary to indicate that the petitioners had abetted suicide
of the informant.

5. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Muzaffarpur, in connection with Nagar (Town) P.S. Case No. 549/2018, G.R. No. 4876 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 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. The petitioner no.1 shall be well represented and petitioner no. 2 shall remain physically present 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.

(Vikash Jain, J)

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