

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73438 of 2018

Arising Out of PS. Case No.-285 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

-
1. Ram Naresh Roy @ Ram Naresh Rai S/o Late Radha Prasad Roy,
 2. Sunaina Rai @ Sunaina Devi, Wife of Ram Naresh Roy @ Ram Naresh Rai,
Both residents of Village Dahiya, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar Singh

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 06-02-2019 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 Samastipur
Mufassil P.S. Case No. 285 of 2018.

3. It is submitted that the petitioners have been falsely implicated
merely because they happen to be the parents of Ritesh Kumar, who
along with his wife (informant's daughter) and their two children were
found dead in their house. The allegation that the petitioners' used to
inflict torture upon their son and the informant's daughter for money
is highly improbable considering that the petitioners had substantial
income of their own and had filed income tax returns for Rs.
3,12,922/- and Rs. 18,18,819/- respectively, for the assessment year
2018-19. It is submitted that even according to the averments in the
FIR the ingredients of Section 306 IPC are not made out. This is the
first instance of any accusation of offence against the petitioners and
both 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 ACJM V, Begusarai, in connection with Samastipur Mufassil P.S. Case No. 285 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 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.

(Vikash Jain, J)

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