

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74141 of 2018

Arising Out of PS. Case No.-92 Year-2018 Thana- RAGHOPUR District- Vaishali

1. Upendra Ray Son of Jangali Ray
2. Asha Devi, Wife of Upendra Ray,
Both residents of Village Rampur Shyamchand, P.S. Raghapur, District-
Vaishali.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Mukesh Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 07-03-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304(B) and 201/34 of the Indian Penal Code registered in connection with Raghapur P.S. Case No. 92 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the parents-in-law of the deceased. It is submitted that the deceased had died from cardiac respiratory failure after treatment at A.S. Nursing Home, Jittulal Lane Chowk Shikarpur, Patna City. The husband of the deceased has already surrendered before learned court below and has been taken into jail custody. 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 learned Additional Chief Judicial Magistrate-IV,



Vaishali at Hajipur in connection with Raghapur P.S. Case No. 92 of 2018, subject to the conditions as laid down under Section 438 (2) 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 petitioner no. 2 will be well represented and petitioner no. 1 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.

(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.

BT/-

(Vikash Jain, J)

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