

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63212 of 2018

Arising Out of PS. Case No.-136 Year-2018 Thana- DULHIN BAZAR District- Patna

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1. Lal Bihari Yadav Son of Late Sukhu Yadav,
 2. Shailesh Yadav @ Sales Yadav Son of Lal Bihari Yadav
 3. Sonfi Devi Wife of Lal Bihari Yadav, All resident of Village- Rikhai Tola, P.S. Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 24-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304/34 IPC and Section 3 and 4 of the D.P. Act registered in connection with Dulhin Bazar P.S. Case No. 136 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be variously related to the husband of the deceased. In any event, it is submitted that the ingredients of the offence alleged under Section 304B IPC are not made out as the marriage was solemnised about 10 years prior to the date of occurrence. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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) with two sureties of like amount each to the satisfaction of learned ACJM III, Danapur, District Patna, in connection with Dulhin Bazar P.S. Case No. 136 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 nos. 1 and 2 shall remain physically present and petitioner no. 3 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 bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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