

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69455 of 2018

Arising Out of PS. Case No.-40 Year-2015 Thana- MOTIPUR District- Muzaffarpur

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1. Dharmendra Sahani S/o- Sikendra Sahani @ Sikindra Sahani
 2. Binod Sahani S/o- Sikendra Sahani @ Sikindra Sahani
 3. Surendra Sahani S/o- Sikendra Sahani @ Sikindra Sahani
- All resident of Village- Anjana Kote Fhular, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sunil Kumar Pandey, Advocate
For the State	:	Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 29-01-2019 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(B), 201 and 34 of the Indian Penal Code registered in connection with Motipur P.S. Case No. 40 of 2015.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be brothers-in-law of the deceased. It is submitted that the petitioners were living separately from the husband of the deceased and they had no concern with day-to-day affair of the husband of the deceased. The petitioners claim clean antecedents. A statement is made at the Bar that husband of the deceased is in custody.

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 Sub-Divisional Judicial Magistrate. West



Muzaffarpur in connection with Motipur P.S. Case No. 40 of 2015, 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 the petitioners 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/Chandran

(Vikash Jain, J)

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