

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71088 of 2018**

Arising Out of PS. Case No.-236 Year-2018 Thana- RIGA District-
Sitamarhi

- =====
1. Md. Easa son of Late Md. Sahadat
 2. Saira Khatoon wife of Late Noor Mohammad Both are resident of Village- Ranjitpur, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Shankar Kumar, Advocate.

For the Opposite Party: Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 28-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 363, 366(A)/34 of the Indian Penal Code registered in connection with Riga P.S. Case No. 236 of 2018, G.R. No. 3377 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the co-villagers of the informant and except suspicion, there is no objective material to connect the petitioners with the alleged occurrence. Petitioner no. 2 is a widow living with her father petitioner no. 1. Similarly situated co-accused Salma Khatoon has been granted anticipatory bail by this Court in Cr. Misc. No. 2284 of 2019. The petitioner claims 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 Sri Rakesh Kumar, learned Judicial Magistrate 1st Class, Sitamarhi in connection with Riga P.S. Case No. 236 of 2018, G.R. No. 3377 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) That the petitioner no. 1 shall remain physically present and 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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