

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56267 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

1. RAMESH JHA Son of late Jay Narayan Jha Resident of Village - Satgadha, P.S.- Jokihat, Distt - Araria.
2. Kundini Devi @ Kumudani Devi Wife of Ramesh Jha Resident of Village - Satgadha, P.S.- Jokihat, Distt - Araria.
3. Mithilesh Kumar Jha @ Mithilesh Jha @ Mantu Son of late Jay Narayan Jha Resident of Village - Satgadha, P.S.- Jokihat, Distt - Araria.
4. Pushpa Devi D/o Ramesh Jha Resident of Village - Satgadha, P.S.- Jokihat, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 506, 313, 498A of the Indian Penal Code and Section 3 and 4 of the D.P. Act registered in connection with Katihar Muffasil P.S. Case No. 137 of 2019.

3. It is submitted that the petitioners have been falsely implicated in a complaint based FIR and even according to the complaint itself it is admitted that the complainant was residing with her husband at Shimla where he was posted since 2014 when they were married. It is also submitted that in the year 2017, her husband left her with her father working at Dibrugarh, (Assam). It is therefore submitted that the thrust of entire accusation is against the husband of the complainant/informant. The petitioners have been implicated merely because they happen to be the father, mother, uncle and married sister



of the informant's husband. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned SDJM, Katihar, in connection with Katihar Muffasil P.S. Case No. 137 of 2019, 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 3 shall remain physically present and petitioner nos. 2 and 4 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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