

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55393 of 2019

Arising Out of PS. Case No.-178 Year-2014 Thana- MAHILA P.S. District- Siwan

1. TETARI DEVI W/o Mokhtar Giri R/o village- Chaumukha, P.S.- Pachrukhi, District- Siwan
2. Rinku Devi W/o Guddu Giri R/o village- Chaumukha, P.S.- Pachrukhi, District- Siwan
3. Guddu Giri S/o Mokhtar Giri R/o village- Chaumukha, P.S.- Pachrukhi, District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 497, 498, 305, 372/34 of the Indian Penal Code registered in connection with Siwan Mahila P.S. Case No. 178 of 2014.

3. It is submitted that the petitioners have been falsely implicated on the accusation that the informant's wife (petitioner no. 2) had been taken away by the co-accused along with her one and half years old daughter. It is submitted that as a matter of fact the petitioner no. 2 was tortured by the informant and his family members, which lead to institution of Siwan Mahila P.S. Case No. 58 of 2014 on 30.03.2014, in retaliation thereof the present FIR has been instituted by the informant on 25.07.2014. The petitioner no. 2 is residing with the petitioner no. 1 in order to earn her own livelihood. 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, Siwan, in connection with Siwan Mahila P.S. Case No. 178 of 2014., 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 be well represented and the petitioner no. 3 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.

(Vikash Jain, J)

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