

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78778 of 2019

Arising Out of PS. Case No.-125 Year-2018 Thana- RAGHOPUR District- Vaishali

1. RAM CHANDRA RAI Son of Late Harbansh Rai @ Harbanshu Rai Resident of Village- Rampur Shyamchand, P.S.- Raghapur, District- Vaishali.
2. Sebari Devi Wife of Ram Chandra Rai Resident of Village- Rampur Shyamchand, P.S.- Raghapur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-12-2019 Heard learned Counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in Raghapur PS Case No. 125 of 2018 registered under Sections 304(B)/201 of the IPC.

It is submitted by the petitioners' Counsel that both father and mother of the husband of the victim are petitioners who have been implicated in this case falsely. It is submitted that the petitioners are aged about 80 and 75 years old respectively and that husband is already in custody. The informant realising the mistake has also filed an application in the court below expressing that the criminal prosecution has been lodged on misconception.

Learned APP for the State opposes the prayer.

Considering the aforesaid submissions as also the facts and circumstances of the case, prayer for anticipatory bail



of the petitioners is allowed.

In the event of arrest or surrender before the court below within four weeks from today, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM IV Vaishali at Hajipur in Raghapur PS Case No. 125 of 2018 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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