

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79730 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- DHANSOI District-
Buxar

- =====
1. Tribhuwan Rai Son of Late Mundrika Rai
 2. Shashi Devi @ Shashi Kunwar Wife of Mindrika Rai
- Both resident of Village- Kakaria, P.S. Dhansoi, District- Buxar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Satyapal Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 342, 323, 354(B), 379, 498(A)/34 of the Indian Penal Code registered in connection with Dhansoi P.S. Case No. 103 of 2018.

3. It is submitted that the petitioners who are the husband and mother-in-law of the informant respectively have been falsely implicated and on the face of it, the accusations are highly improbable. The informant is in the habit of similarly implicating the petitioners as evident from the earlier Dhansoi P.S. Case No. 39 of 2010 in which they have been acquitted as well as Dhansoi P.S. Case No. 03 of 2012 which is pending and yet the informant continued to reside with the petitioners.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Chief Judicial Magistrate, Buxar in connection with Dhansoi P.S. Case No. 103 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) 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) 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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