

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.774 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- JANKINAGAR District- Purnia

1. Sita Devi Wife of Sri Basuki Mahto Resident of Village- Rampur Tilak, P.S.- Jankinagar, District- Purnea.
2. Babajee Mahto Son of Late- Mohan Mahto Resident of Village- Rampur Tilak, P.S.- Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in **Jankinagar P.S. Case No. 37 of 2019**, registered for the offence punishable under Section 302 and 120(B) of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. Both the petitioners are not named in the FIR. There is general and omnibus allegation against these petitioners. Petitioner no. 1 is *Gotni* of the deceased and petitioner no. 2 is father-in-law of the deceased. There is no material against these petitioners. Other co-accused Satiya Devi, mother-in-law of the deceased has been granted bail by this court vide order dated 20.06.2019 passed in Cr. Misc. No. 37638 of 2019.



Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Sub-Divisional Judicial Magistrate, Purnea** in connection with **Jankinagar P.S. Case No. 37 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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