

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6255 of 2020

Arising Out of PS. Case No.-120 Year-2019 Thana- MANPUR District- Nalanda

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1. VIJAY CHAUHAN Son of Shankar Chauhan Resident of Village - Dhanraj Bihga, P.S.- Manpur, District- Nalanda
 2. Shakuntala Devi Wife of Vijay Chauhan Resident of Village - Dhanraj Bihga, P.S.- Manpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 304(B)/34 of the Indian Penal Code, registered in connection with Manpur P.S. Case No. 120 of 2019.

3. It is submitted that the petitioners have been falsely implicated in a complaint-based FIR in connection with the alleged killing of the informant's daughter. The petitioners have been implicated merely because they happen to be father-in-law and mother-in-law respectively of the deceased, who however were residing separately. There is inordinate delay of almost one



month in filing the complaint on 13.02.2019 even though information about the death of the informant's daughter had been received on 15.01.2019 itself. The accusation against the petitioners is general and omnibus and there is no specific overt act attributed to them. The petitioners claim clean antecedents.

4. Be that as it may, in the event of petitioners' arrest or surrender before 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 bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Nalanda at Biharsharif in connection with Manpur P.S. Case No. 120 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) That the petitioner no.1 shall remain physically present in court on each and every date during trial and petitioner no.2 shall be well represented in court on each and every date during trial, except as and when directed by the learned court below to be physically present 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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