

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38126 of 2021

Arising Out of PS. Case No.-332 Year-2020 Thana- DARIYAPUR District- Saran

1. Randhir Giri, Son of Sheshnath Giri, Resident of village- Maath Kakra, P.S. - Dariapur, District - Saran at Chapra.
2. Nitish Giri, Son of Sheshnath Giri, Resident of village- Maath Kakra, P.S. - Dariapur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate
For the Opposite Party/s : Ms.Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Dariyapur P.S. Case No.332 of 2020 instituted for the offence punishable under Sections 304B, 201 and 34 of the Indian Penal Code.

Specific allegation in respect of alleged setting ablaze of the victim, as per the FIR, has been levelled against the victim's husband and her mother-in-law, as per the submission of the learned counsel for the petitioners. He submits that the same is apparent from bare reading of the FIR. Petitioner Nos.1 and 2 are "*Jeth*" and "*Dewar*" of the victim



respectively. They have been in judicial custody since 19.03.2021.

Learned counsel for the petitioners submits that the petitioners' implication is by virtue of their relationship with the victim and the informant realizing his mistake has also moved the court concerned stating that they have settled/compromised the case.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioners, above named, 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 the learned Additional Chief Judicial Magistrate-XIII, Saran at Chapra, in connection with Dariyapur P.S. Case No.332 of 2020, subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is



related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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