

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10444 of 2021**

Arising Out of PS. Case No.-252 Year-2020 Thana- GAIGHAT District- Muzaffarpur

1. Munkiya Devi, W/O Rambilash Mahto R/O- Jarang Malahtolli, P.S.- Gayghat, District- Muzaffarpur
2. Rambilash Mahto, Son Of Late Shuber Mahto R/O- Jarang Malahtolli, P.S.- Gayghat, District- Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kameshwar Singh, Advocate

For the Opposite Party/s : Mr.Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 13-08-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners, in the present case, is seeking regular bail in connection with Gayghat P.S. Case No. 252 of 2020 registered for the offences punishable under Section 302, 201, 34 of the Indian Penal Code. They are in custody since 21.08.2020.

Learned counsel for the petitioner submits that these two petitioners are the mother-in-law and father-in-law respectively of the deceased. It is further submitted that the marriage between the son of the petitioners and the deceased was solemnized about ten years ago. These two petitioners are living separately at Patna where petitioner no. 2 was engaged in

service, however these petitioners have been made accused only with an intention to harass them.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioners but considering the facts and circumstances of the case, they are the mother-in-law and father-in-law respectively and petitioner no. 2 is said to be engaged in service at Patna and is permanently residing with petitioner no. 1 separately at Patna, they have remained in custody for about one year in connection with this case, this Court directs release of the petitioners above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIV, Muzaffarpur, in connection with Gayghat P.S. Case No. 252 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly

make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.