

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 927 of 2015

Arising out of P.S. Case No. -74 Year- 2014 Thana -CHANAN
District- BANKA

- =====
1. Karu Mandal Son of Late Aklu Mandal.
 2. Kishore Mandal Son of Karu Mandal.
 3. Rukmini Devi Wife of Karu Mandal All R/o Vill.- Durbinia, P.S-
Chandan, Distt.-Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party/s: Mr. Narendra Kumar Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

02. 12.01.2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners seek bail in a case instituted for the
offences under Sections 302 and 307/34 of the Indian Penal
Code.

Considering that the Petitioner No. 3, Rukmini Devi
is a lady without going into the veracity of the allegations, let
her be released on bail on furnishing bail bond of Rs. 5,000/-
(Five Thousand) with two sureties of the like amount each or
any other surety as fixed by the Court to the satisfaction of Sri
Santosh Kumar, Judicial Magistrate, 1st Class, Banka (or its
successor) in connection with Chandan P.S. Case No. 74 of
2014 subject to the following conditions:- (i) That one of the
bailors will be a close relative of the Petitioner who will give an
affidavit giving genealogy as to how he is related with the
Petitioner. The bailor will also undertake to inform the Court if
there is any change in the address of the Petitioner. (ii) That the
affidavit shall clearly state that the Petitioner is not an accused

in any other case and if she is she shall not be released on bail.

(iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that she will receive the police papers on the given date and be present on date fixed for charge and if she fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled.

As for the Petitioners No. 1 and 2, in view of the nature of allegations, I am not inclined to grant bail to them. The prayer for bail is rejected.

The Trial Court is directed to expedite the trial and for which reason he is directed to send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order, to the Superintendent of Police, Banka, and the Superintendent of Police, Banka is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

(Anjana Prakash, J.)

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