

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32077 of 2014

Arising Out of P.S. Case No. -240 Year- 2013 Thana -DIGHA District- PATNA

Umesh Rai, s/o late Durga Rai, r/o village - Batora, P.S. Beaur, Distt. - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.48577 of 2014

Arising Out of PS.Case No. -240 Year- 2013 Thana -DIGHA District- PATNA

Stella Alfred @ Estella Alfred @ Sheela, wife of Sri Joachim Alfred, resident of village Mariam Tola, X.T.T.I. Road, P.S. Digha, Distt. Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.32077 of 2014)

For the Petitioner/s : Mr. Prakash Chandra Agrawal, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar No.2 (APP)

(In Cr.Misc. No.48577 of 2014)

For the Petitioner/s : Mr. K.M. Joseph, Adv.

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 09-01-2015 Heard learned counsel for the Petitioners and the State.

The Petitioners seek bail in a case instituted for the offence under Sections 304(B)/34 of the Indian Penal Code.

Considering the period of custody and that it is not a case under Section 304B which would entitle the Petitioners to raise presumption against the in-laws, let the Petitioners above named, be released on bail on furnishing bail bond of Rs.5,000/-

(Five thousand) each with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of Ad-hoc Additional Sessions Judge-III, Patna, in connection with Sessions Trial No. 68 of 2014 arising out of Digha P.S. Case No. 240 of 2013 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor 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 will be liable to be cancelled.

In the meanwhile, the Trial Court is directed to send a list of the witnesses fixing specific dates for each witnesses for their examination along with a copy of this order to the Superintendent of Police concerned, who is directed to ensure the attendance of the witnesses on the date fixed by the Trial Court so that there is no further delay in the Trial.

S.Ali/-

(Anjana Prakash, J)

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