

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30134 of 2014

Arising Out of PS.Case No. -2 Year- 2014 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Seema Devi,
 2. Chhati Devi @ Chhatiya Devi,
 3. Most. Devikali Kuar @ Devkal Kaul &
 4. Kapildeo Rai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Md.Arif(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 14-01-2015

Heard.

Let the petitioners surrender and pray for regular bail before the Magistrate who is assigned to hear the matters of Chakia P.S.Case No.02 of 2014 in the district of East Champaran, Motihari.

For the guidance of the Magistrate, it is noted that prayers for bail are never to be considered merely by looking to the Section of the offence and its seriousness. A Judge of any rank has to consider the allegations individually appearing against the accused persons and then to find out his complicity in the offence and that too in the light of the defence which he advanced for being considered by a Judge. The learned CJM, East Champaran, Motihari who shall hear the prayer for bail of the petitioners, as

and when he surrenders before him, shall abide by the above observations and pass an appropriate order strictly as per allegations and by taking into account the defence and other circumstances appearing in the life of the petitioner, like, his age, or illness or any other serious circumstance which may be pointed out. The Court trusts that the learned Magistrate while passing the order shall never deviate from the principles pointed out and shall pass an order in accordance with law in favour of the petitioner.

The petition stands disposed of with the above directions.

(Dharnidhar Jha, J)

B.Kr./-Kanth.

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