

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49043 of 2014

Arising Out of PS.Case No. -28 Year- 2014 Thana -MAHILA P.S. District- LAKHISARAI

1. Prakash Yadav, Son of Tona Yadav
2. Tona Yadav, S/o Late Ramnaki Yadav
3. Daresh Devi, Wife of Tona Yadav
Resident of Village - Kharagwara, P.S. - Ragarh, District - Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 26-08-2015 Heard learned counsel for the petitioners and learned counsel for the informant. Both the parties are again present in Court.

Learned counsel for the petitioners has filed a supplementary affidavit in which an order dated 10.8.2015 has been annexed, which refers to B.P. No.398 of 2015. From the said order dated 10.8.2015, it appears that the informant-Sabo Devi has also filed another case, bearing Lakhisarai P.S. Case No.572 of 2014 under Sections 341, 323, 325, 307, 498A/34 of the I.P.C. It also appears that in sum and substance, the allegations are of similar nature. In Lakhisarai P.S. Case No.572 of 2014, the Court had directed that if the petitioner pays

Rs.2500/- per month to the victim by crediting the same into her Bank account, the petitioner would be entitled to provisional bail. It appears from the order that the petitioner has been depositing Rs.2500/- each month and as such, the order passed in favour of the petitioner has been confirmed.

In view of the facts and circumstances that two cases of similar nature have been filed one after another, the earlier one being the present case and also because the petitioner has already paid Rs.2500/- to the informant each month, let the interim order passed on 30.4.2015 be confirmed. As such, let all the three petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai Mahila P.S. Case No.28 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioners, being the closely related family members of the informant, shall render all possible assistance to her so as to enable her to reside in the

share of her Late husband and will ensure that she is not driven out from the house.

(Anjana Mishra, J)

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