

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51136 of 2014

Arising Out of PS.Case No. -245 Year- 2013 Thana -BARUN District- AURANGABAD

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1. Kumari Chanchla @ Chanchla Devi W/o Vikrant Kumar D/o Dashrath Paswan
 2. Amar Kumar @ Bablu Kumar S/o Dashrath Paswan
 3. Rahul Kumar @ Hablu Kumar @ Dablu Kumar, S/o Dashrath Paswan
 4. Sandhya Devi (Gudan) W/o Niraj Kumar
 5. Ramji Paswan @ Ramje Paswan S/o Late Ram Prasad Ram
 6. Chhotelal Paswan S/o Sant Lal Paswan
 7. Dashrath Paswan S/o Dindayal Ram
 8. Vibha Rani W/o Chhotelal Paswan
 9. Arjun Ram S/o Shiv Ram
 10. Asha Devi W/o Arjun Ram
 11. Kalawati Devi W/o Dashrath Paswan
 12. Niraj Kumar S/o Rambriksha Ram All are resident of village- Pipra Kala, Katchari Road Garhwa, P.S.- Garhwa, District- Garhwa (Jharkhand)
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh

For the Opposite Party/s : Mr. Rajendra Pd.Nat(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-05-2015 Heard Mr. Krishna Prasad Singh, learned Senior counsel appearing on behalf of the petitioners, who have been made accused for offence under sections 384, 147, 149, 323, 504 of the Indian Penal Code.

Having regard to the fact that the petitioners came to be implicated in this case on account of an earlier case filed by petitioner no.1 against her husband and in-laws for offence under section 498A of the Indian Penal Code and that the petitioners have got no criminal antecedent as also the police also did not find



any substance in the allegation made against them and now they are facing trial on account of learned Magistrate differing with the police report, this Court would direct that if the petitioners, namely, 1. Kumari Chanchla @ Chanchla Devi, 2. Amar Kumar @ Bablu Kumar, 3. Rahul Kumar @ Hablu Kumar @ Dablu Kumar, 4. Sandhya Devi (Gudan), 5. Ramji Paswan @ Ramje Paswan, 6. Chhotelal Paswan, 7. Dashrath Paswan, 8. Vibha Rani, 9. Arjun Ram, Asha Devi, 11. Kalawati Devi and 12. Niraj Kumar, surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Amit Raj, Judicial Magistrate, 1st Class, Aurangabad in Barun P.S. Case No. 245/2013, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their

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.

(iii) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

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