

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14800 of 2015

Arising Out of PS.Case No. -62 Year- 2010 Thana -SANDESH District- BHOJPUR

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1. Ashok Ram
2. Shri Kumar Ram @ Shri Kumar both sons of Prithavi Ram
3. Kalamuni Devi wife of Ashok Ram,
All resident of village- Trikol alias Tirthkol, P.S.- Sandesh, District-
Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-04-2015

Heard learned counsel for the petitioners and the
State.

The petitioners Are apprehending their arrest in
a case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

It is alleged that when the informant was
returning home then Pintu Ram pulled dupatta of the
grand daughter of the informant. When protest was made,
petitioner Ashok Ram and Shri Kumar Ram @ Shri Kumar
instigated to kill, when Kalamuni Devi caught her
daughter and accused Pintu Ram assaulted her by
garashi, as a result she died.

It is submitted by the learned counsel for the

petitioners that though petitioners were not named in the First Information Report. Subsequently, not sent up for trial, but during trial the witnesses were examined and charge-sheet was not submitted. The trial court vide order dated 20.12.2014 summoned the petitioners to face the trial.

Considering the fact that petitioners have been summoned under 319 Cr.P.C. after four years of the institution of the case and the impugned order does not reflect any discussion with regard to the evidence which persuaded the learned trial court to summon the petitioners, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sandesh P.S. Case No. 62 of 2010, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The learned court below will be at liberty to cancel the bail bonds of the petitioners, if they substantially get involved in some serious nature of the offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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