

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50916 of 2014

Arising Out of PS.Case No. -96 Year- 2013 Thana -BHARGAWAN District- ARRARIA

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1. Ravindra Sharma S/O Tilo Sharma
2. Shyam Sunder Sharma S/O Mangal Sharma
3. Dharmendra Sharma S/O Mangal Sharma
4. Samtoliya Devi W/O S/O Mangal Sharma
5. Suma Devi W/O Sunder Sharma@Shyam Sunder Sharma
6. Runa Devi @ Rupa Devi W/O Dharmendra Sharma
All residents of village -Raghunathpur South ,P.S-Bhargama District-Araria
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.
For the Opposite Party/s : Mr. Harendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 16-07-2015

Heard learned counsel for the parties.

Having regard to the fact that the petitioners face prosecution for offence under Sections 313, 324, 386 and 498-A of the Indian Penal Code and that the main accused, being the husband of the complainant, has already been granted regular bail by this Court vide order dated 29.05.2014 in Cr. Misc. No. 17672 of 2014, this Court would find the petitioner nos. 4,5 and 6 being the ladies, to be entitled for privilege of anticipatory bail but then rest of the three petitioners i.e. petitioner nos. 1, 2 and 3 must surrender and thereafter they shall be given regular bail after considering their case vis-à-vis the case of the husband of the complainant.

Hence, the prayer for anticipatory bail of the petitioner nos. 1 to 3 namely Ravindra Sharma, Shyam Sunder Sharma and Dharmendra Sharma respectively is disposed of in the aforesaid terms.

That being so, if the petitioner nos. 4, 5 and 6 , namely, Samtoliya Devi, Suma Devi and Runa Devi @ Rupa Devi 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/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S.Case No. 96/2013, subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioners, who will undertake 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 addresses of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that



they 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 their bail on the ground of misuse.

(iv) That the petitioners will be well represented on each and every date in course 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.

(Mihir Kumar Jha, J)

Sujit/-

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