

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51538 of 2015

Arising Out of PS.Case No. -95 Year- 2015 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

1. Sunil Kumar Son of Late Madan Prasad Resident of Mohalla -
Gabrapar, P.S. Hilsa, District - Nalanda
2. Sarita Devi @ Sarita Kumari Wife of Sunil Kumar Resident of Mohalla
- Gabrapar, P.S. Hilsa, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr.Raj Kumar Singh

For the Opposite Party/s : Mr. Ambika Bhagat(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 10-11-2015 Heard both sides.

Petitioner no. 1 is the husband of petitioner no. 2. They have been named accused along with father of petitioner no. 1 vide SC/ST P.S. Case No. 95 of 2015 registered under minor penal provisions of the Indian Penal Code and section 3(i) (x) of the SC/SC Act.

Counsel for the petitioners has placed the F.I.R. to show that on taking possession of a particular piece of land, the occurrence has taken place on which the father of the petitioner no. 1 has also been made accused who had died at least 12 years before. Copy of the death certificate is enclosed as Annexure-2. The disparaging remarks have not been attributed specifically to the petitioners. It is general in nature. Petitioners have no criminal antecedent.

Considering the above, in the event of arrest or surrender in the Court below within five weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., Hilsa, Nalanda in Bihar Sharif (Nalanda) SC/ST P.S. Case No. 95 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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