

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35493 of 2016

Arising Out of PS.Case No. -206 Year- 2014 Thana -MOTIHARI MUFASIL District- EAST
CHAMPARAN (MOTIHARI)

- =====
1. Renu Devi, wife of Dalan Ram,
 2. Sima Devi Wife of Dharmendra @ Dharmendra Ram,
 3. Asha Devi Wife of Raghendra Ram.
 4. Tulan Ram, Son of Ramdeo Ram,
 5. Rajendra Ram Son of Raju Ram,
 6. Chunulal Ram Son of Shiv Ram.
 7. Sonalal Ram Son of Shivram,
 8. Mahendra Ram, Son of Raju Ram, All residents of Village- Loksa, P.S-
Muffasil, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 19-09-2016

Heard the Counsel for the petitioners and Mr. M.

Dayal, APP for the State.

Petitioners belong to one family and are facing prosecution under sections 341, 376, 511, 147, 148,149,323, 324, 325, 307 and 34 of the Indian Penal Code vide Mufassil P.S. Case No. 206 of 2014.

Counsel for the petitioners placed the F.I.R. and submits that the allegation of having attempted to molest the niece of the informant is specific against the petitioner no. 8. Allegation of causing some injury in retaliation by the family members of Mahendra Ram is against petitioner no. 5 (Rajendra Ram) and

petitioner no. 4 (Tulan Ram). Against rest of the petitioners, the allegation is general and omnibus. They have no criminal antecedent.

Having considered the submissions of both sides, I am not persuaded to extend the privilege of anticipatory bail to petitioner nos. 4, 5 and 8 (Tulan Ram, Rajendra Ram and Mahendra Ram respectively). Their prayer for bail is rejected.

So far as petitioner nos. 1, 2, 3, 6 and 7 (Renu Devi, Sima Devi, Asha Devi, Chunulal Ram and Sonalal Ram respectively) are concerned, in the event of arrest or surrender in the Court below within four weeks, they 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 learned S.D.J.M., Motihari, East Champaran in Mufassil P.S. Case No. 206 of 2014 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/-

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(Kishore Kumar Mandal, J)