

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36722 of 2016

Arising Out of PS.Case No. -198 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

1. Urmila Devi, Wife of Ashok Kumar
2.Amrish Kumar, Son of Ashok Kumar
Both resident of Mohalla- Khandakpar, Biharsharif, P.S.- Bihar, District-
Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ramakant Sharma, Sr. Advocate
For the Informant : Mr. Rabindra Prasad Singh, Advocate
For the State : Mr. Chandra Bhushan Prasad(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-11-2016 Heard learned senior counsel for the petitioners and
learned counsel appearing on behalf of the State. Counsel for the
informant is also present.

The petitioners are apprehending their arrest in
connection with Bihar P.S. Case No.198 of 2016 registered for the
offences punishable under Sections 323, 341, 504, 506, 406, 420
and 379/34 of the Indian Penal Code.

Learned senior counsel appearing on behalf of the
petitioners submits that the husband of the petitioner no.1 and
father of petitioner no.2 was apprehended and during the course of
consideration of his bail application, he has given undertaking in

the court below that he shall refund the money to the informant in response to his undertaking. He is also deposited a sum of Rs. 4,00,000/- in the court below for making payment to the informant. Rest amount are to be paid gradually as per the time fixed in the court below.

Considering the facts that the process of re-payment has already begun and the husband of the present petitioner no.1 and father of petitioner no.2 has given the first installment, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 198 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is made clear that if there is any default in the re-payment schedule, it shall be open to the informant to move this court for modification/ cancellation of this order in accordance with law.

(Anjana Mishra, J.)

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