

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35477 of 2017

Arising Out of PS.Case No. -1137 Year- 2009 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

- =====
1. Satya Narayan Thakur son of Late Banbari Thakur
 2. Priti Devi wife of Satya Narayan Thakur
 3. Hari Thakur son of Satya Narayan Thakur
 4. Sharma Thakur son of Satya Narayan Thakur
 5. Raju Thakur son of Satya Narayan Thakur
 6. Ganesh Thakur son of Satya Narayan Thakur
 7. Dilip Thakur son of Satya Narayan Thakur

All residents of Mohalla - Lambi Gali Japla, P.S. - Husainabad,
District - Palamu (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sheela Devi wife of Dilip Thakur, resident of Mohalla - Lambi Gali Japla, P.S. - Husainabad, District - Palamu (Jharkhand). At present Sheela Devi wife of Sanjay Thakur, daughter-in-law of Late Bindeshwari Thakur, resident of village- Dagwar, P.S. Husainabad, District - Palamu (Jharkhand).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-08-2017 The petitioners have been made accused in a case under Section 498A of the Indian Penal Code. They were granted pre-arrest bail provisionally vide order dated 27.08.2012 passed by this Court in Cr. Misc. No.30465 of 2012 with certain conditions



and on fulfillment of those conditions, the provisional pre-arrest bail granted to them was to be confirmed by the court of Magistrate.

It has been submitted by Mr. Jharkhandi Upadhyay, learned counsel for the petitioner that subsequently provisional pre-arrest bail granted by this Court vide order dated 27.08.2012 was confirmed. However, due to non-appearance of the petitioners on 07.12.2015 their bail bonds were cancelled.

Mr. Jharkhandi Upadhyay further submitted that earlier the case was pending at Jehanabad but subsequently the records were transferred to Arwal and under some confusion the petitioners could not appear on 07.12.2015 as a result of which their bail bonds were cancelled. He has submitted that the petitioners had entrusted Pairvi of the case to an Advocate practicing at Jehanabad and no information regarding transfer of the record to Arwal was ever made to them by their Advocate.

Be that as it may, considering the facts and circumstances of the case and nature of the offence, in case, the petitioners surrender on or before 30.08.2017, the learned Judicial Magistrate, Arwal before whom Complaint Case No.1137 of 2009 corresponding to Tr. No.1335 of 2016 is pending shall release them on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



each with two sureties of the like amount each. In case, they fail to appear within the time stipulated hereinabove, the learned Magistrate shall take all coercive steps in order to secure their appearance before the court so that the trial may proceed.

With the aforesaid observation and direction, the application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

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