

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27375 of 2017

Arising Out of PS.Case No. -42 Year- 2008 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Malti Devi, W/o Vidyanand Singh,
2. Pappu @ Santosh Kumar @ Santosh, S/o Vidyanand Singh,
Both resident of Garhpar, P.S.- Bihar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection
with S.Tr. No. 22 of 2010 arising out of Bihar P.S. Case No. 42
of 2008 for the offences registered under Sections 364 of the
Indian Penal Code.

Learned counsel for the petitioner submits that only
during the course of the trial an application was filed under 319 of
the Indian Penal Code for summoning the present petitioner and
her son petitioner no. 2 as accused and the said petition is allowed.
It is further submitted that thereafter, they are apprehending their
arrest in connection with the present case. It is further submitted
that till date none of the witnesses, who had appeared, had made
any submission regarding the commission of the offence and the
accused Vidyanand Singh, who was in custody on mere suspicion.
There is no eye witness to the occurrence and at the late stage of



the trial, the present application has been filed for implicating the present petitioners.

Considering the aforesaid facts and circumstances of the case, 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 released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge - I, Nalanda at Bihar Sharif in connection with S.Tr. No. 22 of 2010 arising out of Bihar P.S. Case No. 42 of 2008, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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