

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5877 of 2019

Arising Out of PS. Case No.-177 Year-2018 Thana- JOGAPATTI District- West Champaran
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1. YADO LAL CHAUDHARY, s/o. Late Bang Lali Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
2. Kalawati Devi wife of Yado Lal Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
3. Sarali Devi, w/o. Late Rabindra Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
4. Nagendra Sahani @ Nagendra Chaudhary, s/o. Yadu Lal Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
5. Devti Devi @ Devanti Devi, w/o. Nagendra Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
6. Manju Devi, w/o. Lal Babu Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
7. Lal Babu Sahani @ Lal Babu Chaudhary, s/o. Paras Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
8. Hirdya Devi, w/o. Bindyayachal Chaudhary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
9. Jeeta Chaudhary s/o, Yado Lal Chaudary Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran
10. Ful Pati Devi, w/o. Jeeta Chaudahry Resident of Village - Bharthapati, Police Station-Yogapatti (Nawalpur), District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-02-2019

Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences



alleged under Sections 498A/34 IPC and Section 3 and 4 of the D.P.Act registered in connection with Yogapatti (Nawalpur) P.S. Case No. 177 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the various in-laws of the informant. The accusations are general and omnibus in nature and there is no accusation of specific assault by any of the petitioners. The informant and her husband have been residing separately and the petitioners have no concern with their day-to-day matters. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, West Champaran at Bettiah, in connection with Yogapatti (Nawalpur) P.S. Case No. 177 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for



cancellation of bail.

iv. The petitioner nos. 1, 4, 7 and 9 shall remain physically present and the petitioner nos. 2, 3, 5, 6, 8, and 10 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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