

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19443 of 2019**

Arising Out of PS. Case No.-194 Year-2018 Thana- DUMARIAGHAT
District- East Champaran

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1. Suman Kumari aged about 20 years, female, D/O- Bikarma Prasad Resident of Village - Pakari, P.S.- Dumariaghat,, District- East Champaran
 2. Sonam Devi aged about 25 years, female, D/O - Bikarma Prasad Resident of Village - Pakari, P.S.- Dumariaghat,, District- East Champaran
 3. Shila Devi aged about 37 years, Wife of Bikrama Prasad Resident of Village - Pakari, P.S.- Dumariaghat,, District- East Champaran
 4. Subhash Prasad aged about 30 years, Son of Ram Lal Prasad Resident of Village - Ahirauliya, P.S.- Kotwa, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.
For the Informant : Mr. Pramod Kumar Pandey, Advocate.
For the State : Mr. Arun Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-04-2019 Mr. Pramod Kumar Pandey appears suo motu on behalf of the informant stating that he has filed Vakalatnama in the office earlier today.

2. The petitioners apprehends their arrest for the offences alleged under Sections 448, 341, 323, 324, 325, 307, 354B, 379, 504, 506/34 of the Indian Penal Code registered in connection with Dumariyaghat P.S. Case No. 194 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusation of assault by petitioner nos. 1, 2 and 3 is upon Manisha Kumari are general



and omnibus in nature. The injury report of the said Manisha Kumari discloses the injuries to be simple in nature. The accusation of having torn the blouse of the informant as also taking away cash and ornaments by the accused persons are mere embellishment. There is partition dispute between the parties who are agnates. 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 Additional Chief Judicial Magistrate 1st, East Champaran at Motihari in connection with Dumariyaghat P.S. Case No. 194 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate 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) That the petitioner nos. 1, 2 and 3 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present and petitioner no. 4 shall remain physically present in Court on each and every date, 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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