

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70523 of 2018

Arising Out of PS. Case No.-293 Year-2018 Thana- BUDDHACOLONY District- Patna

1. Sobha Devi W/o Rajkumar Singh @ Pintu Kumar
2. Shivpatia Devi, w/o. Suresh Prasad Mahto,
Both r/o. Moha South Mandiri(Kathpul) P.O. G.P.O., P.S.Budha Colony,
District Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Amit Kumar Rakesh,Adv
For the Informant	:	Mr. Bipin Kumar, Adv
For the Respondent/s	:	Mr.Yogendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 379, 494, 504, 506/34 IPC registered in connection with Budha Colony P.S. Case No. 293 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the offence under Section 494 IPC is not made out against them and the accusation of theft is ornamental in nature. The petitioners have not been named in the earlier FIR in Budha Colony P.S. Case No. 73/2018 connected with the same occurrence. The petitioners claim clean antecedents. Similarly situated co-accused Raj Kumar Singh @ Pintu Kumar has been granted anticipatory bail by this Court in Cr. Misc. No. 77455 of 2018.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 Sub Judge XVI cum ACJM., Patna in connection with Budha Colony P.S. Case No. 293 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 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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