

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.581 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- CHAUSA District- Madhepura

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1. Raju Kumar @ Rajesh Kumar, S/o Parmanand Mahaldar
 2. Lalita Kumari D/o Parmanand Mahaldar
 3. Parmanand Mahaldar S/o Late Singheshwar Mahaldar
 4. Jaymala Devi W/o Parmanand Mahaldar.
Resident of village - Bashar Majadiya, P.S. Kurshaila, District- Katihar.
 5. Anil Singh @ Anil Kumar Singh S/o Jagrup Singh
Resident of village- Pakra Basa, P.S. Naugachhiya, District- Bhagalpur.
 6. Manisha Kumari D/o Radhe Singh
 7. Radhe Singh S/o Late Saryug Singh
 8. Madhav Singh @ Madhav Kumar Singh, son of Late Saryug Singh
All resident of village- Khopariya, P.S.- Chousa, District- Madhepura.

... .. Petitioners

Versus

1. The State Of Bihar.
2. Nisha Rani W/o Rupesh Kumar D/o Naresh Singh
Resident of village - Gariya Tola, P.O.- Bhatgama, P.S. Chousa, District- Madhepura.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Pawan Kumar, Advocate
For the State	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 313, 379, 354, 498A, 494, 504, 506 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act registered in connection with Chousa P.S. Case No. 195 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be variously related to the husband of the informant. There is no specific accusation of torture and cruelty assigned to the petitioners and accusation under Section 494 of the IPC is not applicable. There is no injury report on record



to corroborate the accusation of torture and cruelty. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Uda-Kishunganj, District Madhepura in connection with Chousa P.S. Case No. 195 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That petitioner nos. 2, 4 and 6 will be well represented and petitioner nos. 1, 3, 4, 7 and 8 shall remain physically present 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.

(iv) 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.

BT/Chandran

(Vikash Jain, J)

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