

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38782 of 2019

Arising Out of PS. Case No.-29 Year-2014 Thana- PARASBIGHA District- Jehanabad

1. DHANTI DEVI Wife of Ram Pravesh Bind Resident of Village - Pandui, Tola, Beldari Bigha, P.S.- Parasbigha, Distt - Jehanabad.
2. Ram Dular Bind @ Surya Kant Bind @ Surya Kant Kumar @ Surajkant Bind Son of Ram Pravesh Bind Resident of Village - Pandui, Tola, Beldari Bigha, P.S.- Parasbigha, Distt - Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-06-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Parasbigha P.S. Case No. 29 of 2014 for the offence punishable under Sections 147, 149, 341, 323, 504 and 302/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners has submitted that upon completion of the investigation, the police had submitted charge-sheet and since there was no evidence against these petitioners, they were not sent up for trial. The said police report was accepted by the learned Magistrate. In course of trial, however, the petitioners have been made accused on the basis of prosecution evidence



under Section 319 of the Cr.P.C.

Learned counsel appearing on behalf of the petitioners has contended that the petitioners undertake to present themselves before the Court below as and when required and since the prosecution has to proceed on the basis of the evidence to be adduced at the trial, no purpose would be served if the petitioners are taken into custody.

I find substance in the submission so advanced on behalf of the petitioners. This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-II, Jehanabad, in Parasbigha P.S. Case No. 29 of 2014 (Tr. No. 386 of 2016/10 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their



part to appear before the Court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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