

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38303 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- DELHA District- Gaya

1. KHURKHURIYA DEVI @ URMILA DEVI W/o Bido Sahni Resident of Bageshwari Sanjay Nagar, P.S.- Delha, District- Gaya
2. Sukhali Devi W/o Sahdeo Sahni Resident of Bageshwari Sanjay Nagar, P.S.- Delha, District- Gaya
3. Jitendra Kumar S/o Sahdeo Sahni Resident of Bageshwari Sanjay Nagar, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-06-2019 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, 504, 506, 324, 308, 498A/34 IPC and Section 37(c) of the Bihar Prohibition & Excise Act, 2016 registered in connection with Delha P.S. Case No. 110 of 2019.

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. The husband of the informant has not been made accused and the FIR has been lodged in the backdrop of family dispute. The petitioners are living separately from the informant and her husband and have no concern with their day-to-day matters. It is further submitted that even on perusal of the FIR the accusation under the Prohibition Act are not made out against the petitioners, inasmuch as the only accusation under the said Act is against co-accused Krishna Kumar Sahni, who is said to have come in drunken condition and



indulged in maar peet. 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 Special Judge (Excise), Gaya in connection with Delha P.S. Case No. 110 of 2019 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 and 2 shall be well represented and the petitioner no. 3 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.

(Vikash Jain, J)

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