

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53856 of 2019

Arising Out of PS. Case No.-435 Year-2018 Thana- BUDDHACOLONY District- Patna

1. JYOTI KUMARI D/o Prabhu Jee Prasad Resident of Village-Arak, P.O. and P.S.-Krishnabrahm, District-Buxar.
2. Deepa Kumari D/o Shiv Jee Sah Resident of Village-Dehariya, P.O.-Mahila, P.S.-Itarhi, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 188, 341, 342, 323, 324, 325, 307, 326, 332, 333, 337, 338, 353, 427, 449, 450, 451, 452, 461 and 120B of the Indian Penal Code and Section 3 and 4 of the Prevention of Damage to Public Property Act registered in connection with Budha Colony P.S. Case No. 435/2018.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as 166 named and 350 unknown trainee police constables. The petitioners merely happened to be in the vicinity and the accusations are general and omnibus in nature without any specific accusation attributed to the petitioners. The petitioners are accused in one prior case being Budha Colony P.S. Case No. 436/2018 instituted in an identical matter.

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) with two sureties of like amount each to the satisfaction of learned CJM, Patna, in connection with Budha Colony P.S. Case No. 435/2018, 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 petitioners 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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