

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59902 of 2019

Arising Out of PS. Case No.-209 Year-2019 Thana- CHANDI District- Nalanda

1. RAMANAND RAM @ RAMANAND Son of Late Briksh Ram @ Pashu Ram Resident of Village- Milkipar, Police Station- Chandi, District- Nalanda.
2. Kunti Devi @ Kunta Devi Wife of Ramanand Ram @ Ramanand Resident of Village- Milkipar, Police Station- Chandi, District- Nalanda.
3. Kumod Kumar Son of Ramanand Ram @ Ramanand Resident of Village- Milkipar, Police Station- Chandi, District- Nalanda.
4. Ranjan Kumar Son of Ramanand Ram Resident of Village- Milkipar, Police Station- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash
For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-09-2019 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, 420, 504, 376, 34 of the Indian Penal Code registered in connection with Chandi P.S. Case No. 209 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the thrust of accusation under Section 376 of the Indian Penal Code is against co-accused Pramod Kumar. It has been stated in the complaint based FIR that the complainant, a widow lady, started living with the said Pramod Kumar from August, 2016 on the promise of marriage by him, but he subsequently resiled from such promise and married another lady. The petitioners are the father, mother and two brothers respectively, of the co-accused Pramod Kumar. The accusation of assault against the petitioners is general and omnibus and that of taking away the complainant's ornaments is mere



embellishment. 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 1st ACJM, Hilsa, Nalanda, in connection with Chandi P.S. Case No. 209 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, 3 and 4 shall remain physically present in Court on each and every date during trial and the petitioner no.2 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present, 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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