

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66769 of 2018

Arising Out of PS. Case No.-255 Year-2018 Thana- TEKARI District- Gaya

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1. Chandraman Das @ Chandan Kumar, S/o Juman Das,
2. Kiran Devi, W/o Om Prakash Das,
3. Nagmani Devi, W/o Avinash Das, All R/o Village Amav, P.S. Tikari (Mau O.P.), District- Gaya.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shams Alam, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-01-2019

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, 452, 504, 506, 376, 511/34 of the Indian Penal Code registered in connection with Tekari (Mau O.P.) P.S. Case No. 255 of 2018.

3. It is submitted that the petitioners have been falsely implicated owing to past enmity. The thrust of accusation made in the F.I.R. is against co-accused Om Prakash and not against the petitioners who are alleged to have merely obstructed her from lodging complaint in the police station. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate-VI, Gaya in connection with Tikari (Mau O.P.) P.S. Case



No. 255 of 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) 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.

(iv) The petitioners 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.

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(Vikash Jain, J)

