

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45811 of 2023

In
CRIMINAL MISCELLANEOUS No.28918 of 2023

Arising Out of PS. Case No.-862 Year-2022 Thana- BETTIAH CITY District- West
Champanan

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1. BIKRAM RAM @ VIKRAM RAM Son of Late Lakhraj Ram Resident of Mohalla - Ambedkar Colony, Baswariya, P.S.- Bettiah Town, District - West Champanan.
 2. Sita Devi Wife of Bikram Ram @ Vikram Ram Resident of Mohalla - Ambedkar Colony, Baswariya, P.S.- Bettiah Town, District - West Champanan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-07-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The present petitioners have been filed for modification of order dated 16.05.2023 passed in Cr. Misc. No. 28918 of 2023.

3. Learned counsel for the petitioners submits that the petitioners were granted bail on 16.05.2023 passed in Cr. Misc. No. 28918 of 2023 with certain conditions in which one of the conditions [condition no.(i)] is that one of the bailors shall be either father or mother or sister or brother or wife or person who



has sworn the affidavit in bail application.

3. Learned counsel for the petitioners submits that no person as mentioned in condition No.(i), of the order dated 16.05.2023 is available to stand as a bailor, since petitioner no.2 is wife of petitioner no.1. The father and mother of the petitioners are have already been died as mentioned in para 5 of this petition. Malti Devi is the only sister of the petitioner no.1 and Sita Devi is the only sister of the petitioner no.2. It is relevant to state here that neither Malti Devi nor Sita Devi have got immovable properties in their names and as such they are not in a position to stand as bailors in this case. The deponent of the present case is the daughter of the petitioners and she has also not got immovable property in her name to stand as bailor in this case due to aforesaid reasons petitioners are not fulfilling condition no.(i) of bail order dated 16.05.2023. He further submits that one Hira Ram S/o Late Vishwanath Ram, R/O Village- Tadhwanandpur under Bairiya Police Station of West Champaran District is Samadhi of the petitioner no.1 who has sworn the affidavit in the present petition, is ready to stand as bailor. It is relevant to state here that one Prabha Devi W/o Nandlal Ram, R/o Village-Dhumnagar under Nautan Police Station of West Champaran District is Bhabhi of the petitioner



no.2 and she is ready to stand as a bailor for the petitioner no.2.
In this context, learned counsel for the petitioners prays that
condition no. (i) of bail order dated 16.05.2023 may be modified
so that petitioners could furnish bail bonds.

4. Learned APP does not controvert the aforesaid
submission.

5. In the light of aforesaid submission, condition no.
(i) of order dated 16.05.2023 passed in Cr. Misc. No. 28918 of
2023 stands modified to the extent that Hira Ram who is
Samadhi of the petitioner no.1 and has also sworn the affidavit
in the present petition shall be bailor and Prabha Devi who is
Bhabhi of the petitioner no.2 and has also sworn the affidavit in
the present petition shall be bailor.

6. In the aforesaid manner, this modification petition
stands disposed of.

(Alok Kumar Pandey, J)

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