

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59985 of 2023

Arising Out of PS. Case No.-304 Year-2018 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Chunni Kumari D/O Arjun Paswan R/O Village- Uda Police Station-
Udakishunganj, Distt.- Madhepura.
 2. Urmila Devi @ Nirmala Devi W/O Arjun Paswan R/O Village- Uda Police
Station- Udakishunganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-10-2023 Heard learned counsel for the parties.

2. The petitioners seek bail in a case registered for the
offence punishable under Section 302 of the Indian Penal Code.

3. Earlier, prayer for bail of the petitioners was twice
rejected vide order dated 30.07.2021 and 30.11.2022 passed in
Cr. Misc. No. 3688 of 2021 and Cr. Misc. No. 48477 of 2022
respectively with a liberty to the petitioners to renew their
prayer for bail after six months.

4. In pursuance to the order dated 15.09.2023, status
report of trial in connection with S.T. No. 13 of 2020/S.T. No.
32 of 2020 arising out of Udakishunganj P.S. Case No. 304 of
2018 has been received and kept at Flag-A, in which it is
reported that out of 9 witnesses, six have been examined and



non-bailable warrant has been issued against rest of the witnesses.

5. Learned counsel for the petitioners submits that the petitioners are languishing in judicial custody since 11.01.2020.

Considering the facts and circumstances of the case and the period of custody, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Madhepura in connection with S.T. No. 13 of 2020/S.T. No. 32 of 2020 arising out of Udakishunganj P.S. Case No. 304 of 2018, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the court if there is any change in the address of the petitioners.

(II) that the petitioners will be well represented on each and every date fixed in the case and if they fail to do so on two consecutive dates their bail bonds shall be liable to be cancelled.

(III) that the petitioners will mark their attendance in



the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(IV) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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