

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64864 of 2023

In
CRIMINAL MISCELLANEOUS No.47151 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- SINGHWARA District- Darbhanga

1. Suman Chaubay, aged about 50 years (Male), S/O Sri Raj Nandan Chaubay, R/O Village- Rampura, P.S- Singhwara, Distt.- Darbhanga.
2. Rajani Kumari @ Rajani Kumar, aged about 41 years (Female), W/O Sri Suman Chaubay, R/O Village- Rampura, P.S- Singhwara, Distt.- Darbhanga.
3. Ranjeet Kumar Chaubay, aged about 57 years (Male), S/O Sri Raj Nandan Chaubay, R/O Village- Rampura, P.S- Singhwara, Distt.- Darbhanga.
4. Mamta Kumari @ Mamata Devi, aged about 48 years (Female), W/O Sri Ranjeet Chaubay, R/O Village- Rampura, P.S- Singhwara, Distt.- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Vaishnavi Singh, Advocate
For the Opposite Party : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The present application has been filed for modification of the order dated 03.08.2023, passed in Cr. Misc. No. 47151 of 2023 by which the petitioners were granted regular bail in connection with Singhwara P.S. Case No. 217 of 2022 to the satisfaction of learned Court concerned, Darbhanga at Laheriasarai, with a condition that the petitioners are directed to remain physically present before the learned court below on



each and every date, failing which on two consecutive dates without reasonable cause, their bail bonds are liable to be cancelled.

3. Learned counsel for the petitioners submits that the physical appearance of the petitioners on each and every date be done away with as the petitioner no. 1 is an agriculturist aged about 50 years, the petitioner no. 2 is the house wife aged about 41 years, the petitioner no. 3 is aged about 57 years and mostly they are residing in a Math while the petitioner no. 4 is a primary school teacher and since the year 2007 she is imparting education at Primary School, Lohra, Block-Bisfi. So, the said condition that the petitioners are to be physically present on each and every date before the learned trial court is causing huge loss and inconvenience to the petitioners. The petitioners are in-law and they have no direct involvement in the relation between the husband the wife. The school where the petitioner no. 4 is employed is located at a great distance from the learned court below where the case is pending. It has further been prayed on behalf of the petitioners that they will be properly represented through their counsel on each and every date and as and when required by the learned court below they will remain physically present and will never lack in the pairvi of the said



case and if on two consecutive dates representation from the petitioners side does not come they may be liable for cancellation of their bail bond, if so directed by this Court.

4. Learned A.P.P. for the State has vehemently opposed the modification petition of the petitioners and has submitted that the learned counsel for the petitioners has not filed any document showing that the petitioner no. 4 is a school teacher.

5. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of learned counsel for the petitioners, I find no reasonable ground in the submissions of learned counsel for the petitioners.

6. Accordingly, the present modification application is rejected.

(Chandra Prakash Singh, J)

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