

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51660 of 2014**

Arising Out of PS.Case No. -360 Year- 2014 Thana -TURKAULIYA District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Tetari Devi, wife of Kapildeo Mahto,
  2. Kapildeo Mahto, son of late Shiv Prasad Mahto,
  3. Rajesh Mahto, son of Kapil Deo Mahto,
  4. Rupesh Kumar, son of Kapil Deo Mahto, &
  5. Rakesh Mahto, son of Kapildeo Mahto, all resident of village-Shankar Saraiya, (Kaswa Tola), P.S.- Turkaulia, District- East Champaran
- .... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Md . Ansural Haque, APP

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
**ORAL ORDER**

2/ 05-01-2015

Heard learned counsel for the Petitioners and the State.

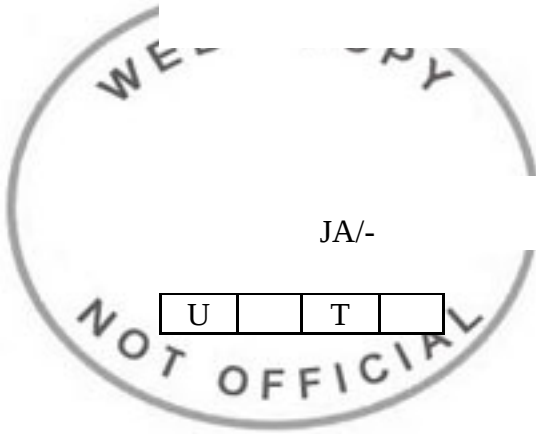
The Petitioners apprehend their arrest in a case instituted for the offence under Section(s) 323, 341, 354, 380, 448, 504, 506, 143, 149 & 336 Indian Penal Code and Section 34 of the Prevention of Witch (Daain) Practices Act.

Considering that there is counter version of the occurrence and the Petitioners claims to be the *Pattidar* of the Informant and have fair antecedents, it is ordered that in the event of surrender/arrest of the Petitioners, named above, within four weeks from the date of receipt/production of a copy of this order in connection with Turkaulia P.S. Case No.360 of 2014, they shall



be released on anticipatory bail on furnishing bail bond of ₹5,000/- (five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Chief Judicial Magistrate, East Champaran, subject to the conditions as laid down under sections 438(2) Cr. P. C. and (i) That one of the bailors will be a close relative of the Petitioners, who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailors will undertake to furnish information to the court about any change in the address of the Petitioners, (ii) That the affidavit shall clearly state that the Petitioners are not accused in any other case and, if they are, they shall not be released on bail, (iii) That the bailors shall also state on affidavit that they 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 the proceeding for cancellation of bail on the ground of misuse, (iv) That the Petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (v) That the Petitioners will be well represented on each date and if they

fail to do so on two consecutive dates, their bail will be liable to be cancelled.



(Anjana Prakash, J)