

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36050 of 2014

Arising Out of PS.Case No. -99 Year- 2013 Thana -MAHILA PS District- JAMUI

- =====
1. Indradeo Prasad Barnwal S/o Kedar Nath Barnwal
 2. Bebi Devi W/o Rajesh Kumar Barnwal, D/o Kedar Nath Barnwal
 3. Nageshwar Barnwal S/o Late Mahavir Barnwal
- All are Resident of Village Sarebad, P.S. Sono, District Jamui, Petitioner
No. 4 at present residing at Asansol, P.S. Asansol, District Asansol (West
Bengal).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

4. 27.04.2015 Heard Mr. Rama Kant Sharma, learned senior
counsel assisted by Mr. Lakshmi Kant Sharma, learned counsel
for the petitioners and learned A.P.P. for the State.

The petitioners apprehend arrest in connection
with Jamui Mahila P.S. Case No. 99 of 2013 dated 01.11.2013
instituted under Sections 498A/323/327/354/379/34 of the
Indian Penal Code and 3/4 of the Prevention of Witch (Daain)
Practices Act, 2001.

Earlier the petitioners has moved this Court for
anticipatory bail along with two others in Cr. Misc. No. 30587
of 2014 which was withdrawn with regard to the present
petitioners with liberty to file fresh petition in view of the fact
that the two other petitioners had moved separate application

before the Court below and thus with regard to the other two, there was a separate order and therefore one common petition could not be filed before this Court.

The two petitioners in other case were father-in-law and mother-in-law of the informant, who have been granted anticipatory bail by order dated 04.02.2015, whereas in the present case petitioner no. 1 is the brother-in-law (Dewar), petitioner no. 2, the married sister-in-law (Nanad) and petitioner no. 3 is the cousin father-in-law of the informant. It is alleged that the informant after the marriage had given birth to two children but subsequently her husband was killed for which Complaint Case was filed by the informant. It is submitted that for the death U.D. Case No. 3 of 2009 was registered at the behest of the father-in-law of the informant i.e., father of the deceased in which the complicity of the petitioners never surfaced and only after a month and eight days of the death of informant's husband, the Complaint Case No. 540C of 2009 was filed. It is submitted that partition of property had taken place and since the informant has greedy eye on the property at Deoghar, hence the present case has been lodged to pressurize the petitioners and their family members.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the

case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jamui in Jamui Mahila P.S. Case No. 99 of 2013, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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