

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15309 of 2015

Arising Out of PS.Case No. -178 Year- 2014 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Virendar Sah son of Shankar Sah
 2. Mohan Sah son of Shankar Sah
 3. Lagni Devi wife of Mohan Sah
 4. Kanchan Devi, wife of Rohit Sah
 5. Mantu Devi wife of Virendra Sah
 6. Khushbu Devi, wife of Subodh Kumar Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

7 05-10-2015 Perused the report of learned CJM, East Champaran,

Motihari as well as letter dated 22.09.2015 of the Superintendent

of Police, East Champaran (Motihari).

This Court vide order dated 14.09.2015 directed the

Superintendent of Police, East Champaran (Motihari) to transmit

show cause through some responsible officer, but instead of that

the letter has been sent. This conduct of the Superintendent of

Police, East Champaran (Motihari) is highly deprecable.

Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case

registered for the offences punishable under Sections 448, 341, 323, 325, 307, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that all the accused persons including the petitioners entered into the house of the informant, made assault for practicing witch craft on the children of the informant. The accused persons dragged the informant on the road and took away jewellery and cash.

It is submitted by learned counsel for the petitioners that for the occurrence of 01.09.2014, the FIR was registered on 06.09.2014 and the accusation is omnibus and general. There is no injury report on record.

Learned APP after going through the case diary does not dispute that the chargesheet has been submitted without collecting the injury report, which reflects the casual manner in which the investigation is being carried out.

Considering the delayed lodging of the case and accusation being omnibus and general, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of the learned CJM, East Champaran in connection with Mahesi P.S. Case No.178 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let this order be communicated to the Superintendent of Police, East Champaran (Motihari)

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--