

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49575 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -CHAUSA District- MADHEPURA

- =====
1. Kailash Sah Son of Late Sahdeo Sah,
 2. Mira Devi, Wife of Kailash Sah,
 3. Arun Sah, son of Late Ramdeo Sah,
- All are resident of village - Fulout East, P.S. - Chousa (Fulout O.P.),
District - Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate

For the Opposite Party/s : Mr. I.Mahmood , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Chousa (Fulout O.P.) P. S. Case No. 62 of 2015 registered under
Sections 147, 148, 323, 379, 447, 504 and 506 of the Indian Penal
Code and Section 3/4 of the Prevention of Witch Practices Act,
1999.

It is contended that there is an unexplained inordinate
delay in institution of the FIR. The alleged occurrence is of 18th
June, 2015 but the report was lodged on 22nd June, 2015. It is

further contended that instant case has been instituted in retaliation to Chousa (Fulout O.P.) P. S. Case No. 60 of 2015 instituted on 18.06.2015 by petitioner no. 1 Kailash Sah.

Learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar Singh-III, Judicial Magistrate, 1st Class, Udakishunganj (Madhepura) in Chousa (Fulout O.P.) P. S. Case No. 62 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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