

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7800 of 2015

Arising Out of PS.Case No. -760 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Serazuddin Ansari, S/o Amijaan Mian (Father in law)
 2. Jumarati Ansari, S/o Serazuddin Ansari (Brother in law)
 3. Amla Khatoon, W/o Serazuddin Ansari (Mother in law)
 4. Afsana Khatoon, W/o Jumarati Ansari (sister in law/Gotni)
 5. Mainul Nesha Khatoon @ Mainul Nesha, W/o Mubarak Mian (Sister in law/Nanad)
 6. Mubarak Mian, S/o Ghulam Rasool (Brother in law/Nandoshi)
- All of Vill.-Singhia Sagar, P.S.-Banjariya (Turkaulia), Dist.-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Hasantara Khatoon, D/o Jalil Mian, residing at Vill.-Sarya Dubey Tola, P.S.-Panarpur, Dist.-East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate
For the Opposite Party No.2 : Mr. Jitendra Narain Sinha, Advocate
For the State : Mr. Madan Kumar (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 13-08-2015

I have heard learned counsel for the petitioners,

learned counsel appearing on behalf of the opposite party no. 2 and learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Turkaulia (Banjaria) P.S. Case No. 760 of 2014/G.R. Case No. 5603 of 2014, arises out of Complaint Case No. C 2150 of 2014, disclosing offences under Sections 498A, 307, 406, 420, 467, 468, 471 and 120B of the Indian Penal Code and Sections 3/4 of the Prevention of Witchcraft Practices Act.

Learned counsel appearing on behalf of the petitioners has handed over a demand draft, bearing D.D. No. 260546 dated 12/08/2015 of Allahabad Bank worth Rs. 3,50,000/- to learned counsel appearing on behalf of the opposite party no. 2, in course of hearing of the present matter to be deposited in the account of opposite party no. 2, namely, Hasantara Khatoon, as and when, such bank account is opened in her name. It is made clear that if the said demand draft is deposited in the account of opposite party no. 2, opened even after 12/08/2015, no objection shall be raised and the amount shall be credited



in her account after due verification. Learned counsel appearing on behalf of opposite party no. 2 states that opposite party no. 2 will not have any grievance, if this application for anticipatory bail is allowed to the petitioners, in the facts and circumstances of the case. He also assures this Court that the opposite party no. 2 will take steps for getting the matter finally resolved in the court below.

In view of the stand of the opposite party no. 2 as above and in view of the fact that a demand draft worth Rs. 3,50,000/- has been handed over to learned counsel representing opposite party no. 2, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Motihari, East Champaran** in connection with **Turkaulia (Banjaria) P.S. Case No. 760 of 2014/G.R. Case No. 5603 of 2014, arising out of Complaint Case No. C 2150 of 2014,**

subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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