

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49158 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -RISHIYAP District- AURANGABAD

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1. Rajesh Ranjan @ Pappu Son of Mithilesh Yadav Resident of village -
Dhanubigha, P.S. Rishiup, District - Aurangabad

2. Birendra Yadav Son of Naresh Yadav resident of village - Bhalua, P.S.
Barun, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Panchanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 04-11-2015 Heard Mr. Ojha for the petitioners and Mr. Pandit, APP, for
the State.

Two petitioners herein seek anticipatory bail in Rishiup P.S.
Case No. 24 of 2015 registered under sections 147, 148, 447 and
407 of the Indian Penal Code, Sections 34 of the Prevention of
Witch (Daain) Practices Act, 1999 and Section 27 of the Arms
Act.

There are two F.I.Rs lodged in connection with the present
incident, one by informant and the another by the father of the
petitioner no. 1. Allegation is that the accused has intruded into the
house saying that the mother of the informant was Daain and
thereafter tried to assault the informant. The counter version says
that the prosecution side on that very date intruded into the house
and assaulted the mother of petitioner no. 1 saying that she was

Daain. Referring to the injury report of the informant, it has been submitted that they are superficial in nature. Petitioners have no criminal antecedent.

On the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Rishiup P.S. Case No. 24 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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