

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42597 of 2016

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1. Baijnath Rai son of Late Dipan Rai.
 2. Jagarnath Rai son of Late Dipan Rai.
 3. Geeta Devi wife of Baijnath Rai.
 4. Rinku Devi daughter of Baijnath Rai.
 5. Pappu Rai son of Baijnath Rai. All residents of village- Ranipatti, Police Station- Rajopur, District- East Champaran.
 6. Rameshwar Rai son of Late Brahamdeo Rai, resident of village- Bhawani Dih, Police Station- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal, Advocate

For the Opposite Party/s : Mr. Sri Narsingh Tanti, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 19-10-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Rajopur P.S. Case No. 101 of 2015, disclosing offences under Sections 147, 148, 149, 323, 379, 504 and 447 of the Indian Penal Code and 3/4 of Prevention of Witch (Daain) Practices Act.

Learned counsel for the petitioners has submitted that for an offence which had taken place on 08.02.2015, two First Information Reports have been registered: one at the instance of petitioner No. 1 being Rajopur P.S. Case No. 92 of 2015 and the



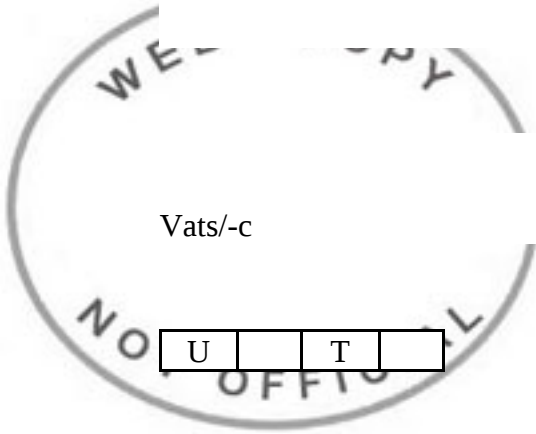
other lodged by the informant which is the present case i.e. 101 of 2015. He has submitted that the First Information Report of Rajopur P.S. Case No. 101 of 2015 has been registered on 29.07.2015 and there is no plausible explanation as to why it took more than 18 days in registration of the present First Information Report, though the fardbeyan of the informant was allegedly recorded on 10.07.2015 itself. He has also submitted that good sense has prevailed between the parties and they have resolved the disputes between them.

Considering the submissions as above, this application is allowed.

Let the petitioners, above-named, 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 Sub Divisional Judicial Magistrate, Sadar Motihari in connection with Rajopur P.S. Case No. 101 of 2015, subject to the conditions as 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 be liable to be cancelled.



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(Chakradhari Sharan Singh, J)