

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37251 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -ARER District- MADHUBANI

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1. Lal Bahadur Kamat Son of Laxmi Kamat,
2. Sanjay Kamat @ Sanjay Chaudhary Son of Lal Bahadur Kamat,
3. Rahul Kamat @ Rahul Kumar Son of Lal Bahadur Kamat,
4. Laxmi Kamat Son of Late Janak Kamat,
5. Shila Devi wife of Lal Bahadur Kamat,
6. Punam Devi wife of Sanjay Kamat, resident of village- Jamuari, P.S.-
Arer, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of
Arer P.S. Case No. 49 of 2016, disclosing offences under
Sections 147,149,341,323,354,504 of the Indian Penal Code
and Section 3/4 of the Prevention of Witch Practices Act.

Allegedly, the petitioners had attempted to remove
Saree from the body of the informant and forcibly
administered night soil and called her "Dayen". It is also
alleged that they assaulted her with fists and slaps.

Learned counsel appearing on behalf of the
petitioners has submitted that an occurrence had taken place

in connection with *drainage* and what has been alleged is an exaggerated version of what had happened on the date of occurrence. He has also submitted that considering the nature of allegation and the fact that the petitioners are not habitual criminals, no purpose would be served, if they are taken into custody.

Considering the above, this application is allowed. Let petitioners above-named in the event of their arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ajay Kumar-II, learned Judicial Magistrate, Ist Class, Benipatti, Madhubani in Arer P. S. Case No. 49 of 2016, 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.

(Chakradhari Sharan Singh, J)

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