

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41536 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -GOH District- AURANGABAD

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1. Ranjay Das @ Sanjay Das Son of Laldeo Das,
 2. Shivendra Das, Son of Rampati Das.
 3. Jagdish Das, Son of Late Narayan Das.
 4. Ramanand Das Son of Late Raghu Das,
 5. Sagar Das Son of Mohan Das.
 6. Sunil Das, Son of Ganauri Das,
 7. Shailendra Das Son of Pahal Das.
 8. Shiva Jee Das @ Sitavi Das, Son of late Badri Das
 9. Gajendra Das Son of Rampati Das
 10. Gaya Das, Son of Late Bhuee Das,
 11. Shiv Thakur Son of Prasadi Thakur,
 12. Bhagirath Thakur Sonof Prasadi Thakur,
- All resident of Village Berka, P.S. - Goh, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-09-2016 Heard learned counsels for the petitioners and the

State.

The petitioners being co-villagers of the late husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 353, 498A/504,506 of the Indian Penal Code and 3/4 of the Prevention of Witch (Daain) Practices Act, 1999.

The prosecution case is that on 30.04.2016 at 11 A.M.

the mother-in-law of the informant along with co-villagers made assault to the informant and confined her after tying hands when mother and brother of the informant came to rescue then the accused persons also assaulted them. The mother-in-law also made an attempt to cause burn injury to the informant.

It is submitted by learned counsel for the petitioners that the petitioners are co-villagers of the late husband of the informant. Except petitioner no.4, Ramanand Das, none of the petitioners are named in the FIR, though the FIR has been lodged against 21 persons. The name of the petitioners, except petitioner no.4, transpired during investigation. The injuries of the informant and her brother have been found to be simple superficial in nature. The mother of the informant has not received any injury. The injury report suggests that the informant has received no burn injury.

Considering the accusation being omnibus and general even against the FIR named accused persons, except petitioner no.4 other petitioners are not named in the First Information Report coupled with a statement made in paragraph no.3 of the petition that the petitioners have no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within

a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad, in connection with Goh P.S. Case No.44/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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