

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38421 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -SHIWAPATTI District- MUZAFFARPUR

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1. Bilash Sahani @ Bilas Sahani @ Vilas Sahani, son of Late Judge Sahani,
2. Manju Devi wife of Bilas Sahani
3. Seema Kumari, D/o Bilas Sahani
All resident of Village- Tengrari Tole Chhaphar, P.S.- Siwaipatti, District-
Muzaffarpur.
4. Rajeev Sahani s/o Kalu Sahani, resident of Village- Bedaul, P.S. Aurai,
District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Upendra Kumar Chaubey
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 379, 504 and 34 of the Indian Penal Code and 3 and 4 of the Witchcraft Act, registered in connection with Siwaipatti P.S. Case No. 15 of 2016.

3. It is submitted that the petitioners have been falsely implicated and there is omnibus allegation against the petitioners. The parties are agnates and there is a longstanding dispute between them. There is no injury report to support the allegation of assault. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the

satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Siwaipatti P.S. Case No. 15 of 2016., subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions-

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That petitioner nos. 2 and 3 will be well represented and petitioner nos. 1 and 4 shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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