

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.750 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -KURSAKANTA District- ARRARIA

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1. Ashok Sada Son of Fulchand Sada
 2. Harik Chand Sada son of Late Haribol Sada
 3. Shanti Devi wife of Shankar Sada
 4. Boukai Sada son of Suman Sada
 5. Magaru Sada son of Khushi Lal Sada

All are residents of village- Kaparfora Mehdipur, P.S.- Kursakanta,
District- Araria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Smt. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 12-01-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Kursakanta P. S. Case No.55 of 2015 registered under Sections
147, 149, 341, 323, 354 A, 448, 379, 504 and 506 of the Indian
Penal Code and Section 3/4 of Prevention of Witch Practices
Act, 1999.

It is contended that there is general and omnibus
allegation against 18 named accused persons, including these

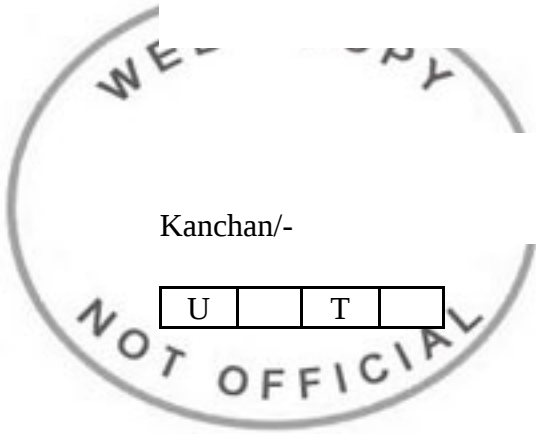


petitioners and 400-500 unknown persons that they have assaulted the informant by calling her *dayan* and also assaulted her family members. It is further contended that no specific overtact has been alleged against any of the petitioners and similarly circumstanced co-accused Durga Nand Sada, Manoj Sada, Noroj Sada, Budu Sada, Pramod Sada, Ramphal Sada and Mukesh Sada have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 04.08.2015 passed in Cr. Misc. No. 31314 of 2015.

Learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioners. However, she concedes that the case of the petitioners stands on identical footing to that of Durga Nand Sada and others, who have already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 31314 of 2015.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in Kursakanta P. S. Case No.55 of 2015,

subject to the conditions as laid down under Section 438 (2) of
the Code of Criminal Procedure.



(Ashwani Kumar Singh, J.)

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