

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48650 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -BANGAON District- SAHARSA

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1. Devta Devi, Wife of Mayanand Thakur
2. Buchiya Devi, Wife of Tunur Thakur
3. Kiran Devi, Wife of Shubhankar Thakur All are resident of Village + P.O.- Chainpur, P.S. Bangaon, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. S.Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

2 16-12-2016 Heard the learned counsel for the petitioners and Mr.S. Dayal, A.P.P. for the State.

Three accused are female members of the family apprehending their arrest in Bangaon P.S. Case No.10 of 2016 registered under Sections 341, 323, 379, 354, 504/ 34 of the Indian Penal Code and Section 34 of the Witch Craft Practices Act and have prayed for grant of anticipatory bail.

Counsel for the petitioners after placing F.I.R. submits that there is general allegation of dragging the victim out of the house and assaulting the female members of the family. The



allegations against the petitioners are omnibus. In fact, husband of the petitioner no.1 had lodged a case against the present prosecution side for having received injury at their hands. In retaliation thereof the present case has been lodged. The informant did not receive any serious / grievous injury.

Considering the fact that they are not the accused who forcibly took out the informant from the house and that they are the female members of the family, I am persuaded to grant privilege of anticipatory bail. Let the petitioners, abovenamed, in the event of their arrest or surrender in the court below within four weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa, in Bangaon P.S. Case No.10 of 2016 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear on each and every date fixed in the court below. In case of default in doing so on two consecutive occasions without



any cogent/satisfactory reason, the trial court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

AnilKrSinha/-

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