

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22699 of 2017

Arising Out of PS.Case No. -67 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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1. Chandeshwari Prasad Singh, Son of Late Prayag Narayan Singh.
 2. Nirmal Kumar, Son of Chandeshwari Prasad Singh.
 3. Babu Saheb Singh, Son of Late Prayag Narayan Singh.
 4. Chandra Kala Devi, W/o Late Prayag Narayan Singh. All are resident of Village- Gama, P.S.- Bihariganj, District- Madhepura.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party/

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Appearance :

For the Petitioners : Mr. Pranav Kumar Jha, Advocate
For the Opposite Party : Mr. Sri Parmanand Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Bihariganj P.S. Case No. 67 of 2017 (G.R. No. 218 of 2017), registered for the offences punishable under Sections 341, 447, 323, 307, 354, 379, 504/34 of the Indian Penal Code and Section 3/4 of Witch Craft (Dain) Act.

Allegedly, the petitioners attacked on the informant and his mother. Nirmal Kumar petitioner no.2 assaulted with iron rod to the mother of the informant and when father of the informant came for rescue then petitioner no.3 and 4 assaulted him and they were saying the mother of informant as 'Dain' and



further snatched silver chain and gold *Mangalsutra*.

Submission is of false implication and that this case is counterblast of Bihariganj P.S. Case No. 66 of 2017, in this case no injury has been caused to anyone whereas in the case lodged by petitioner no.1, there is grievous injury, the petitioners only with a view to save the skin from that case have been implicated falsely and, as such, they deserve sympathetic consideration.

The learned A.P.P. fairly submits that this case is counterblast of Bihariganj P.S. Case No. 66 of 2017.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sri Abhimanyu Kumar, Judicial Magistrate, 1st Class, Udakishunganj, District Madhepura, in connection with Bihariganj P.S. Case No. 67 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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