

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26607 of 2017**

Arising Out of PS.Case No. -60 Year- 2017 Thana -GORIAKOTHI District- SIWAN

- =====
1. Pashpati Kuar, Wife of Late Mahajan Sah,
  2. Sangita Devi, Wife of Bali Sah,
  3. Rinku Devi, Wife of Jitendra Sah,
  4. Subhawati Devi @ Sumlti Devi, Wife of Tulsi Sah,
  5. Umrawati Devi, Wife of Binda Sah,
  6. Sunil Sah, Son of Tulsi Sah,
  7. Laxmina Devi, Wife of Sheoji Sah,
  8. Devendra Sah, Son of Binda Sah, All of Village- Lilaru Pashchim Toal, Police Station- Goreakothi, District- Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghav Prasad  
For the Opposite Party/s : Mr. Sri Murlidhar

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      01-08-2017      Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Goriakothi P.S.

Case No. 60 of 2017 instituted for the offence under Section-379 & other minor Sections of the Indian Penal Code and ¾ of Dian Act.

It has been submitted that the occurrence is said to have been taken place on 25-03-2017 whereas; the case has been filed after delay of about 14 days on 08-04-2017 and no explanation has been given for such delay in lodging the first information report. It has further been submitted that there is land dispute between the



parties. The allegation is general and omnibus against the petitioners.

As per written report, all the accused persons entered into the house and pulled out her mother-in-law Sangita Devi and she fell down. It is also alleged that all the accused persons forcibly poured excreta and urine in the mouth of her mother-in-law and she started vomiting and lastly became unconscious.

C.D. has been received.

There is no medical report to show that mother-in-law of the informant was medically examined. From the written report, it appears that there is general and omnibus allegation against the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Goriakothi P.S. Case No. 60 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Siwan subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date



fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

**(Sanjay Priya, J)**

A.K.V./-

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