

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36013 of 2017

Arising Out of PS.Case No. -138 Year- 2016 Thana -KALYANPUR District- SAMASTIPUR

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1. Binod Raut, son of Mahesh Raut,
2. Babloo Raut @ Bablu Kumar, son of Mahesh Raut,
3. Mahesh Raut, son of Late Kamal Raut,
4. Punita Devi, wife of Binod Raut,
5. Sunita Devi, wife of Mahesh Raut,
6. Bibha Devi, wife of Babloo Raut @ bablu Kumar,
7. Romiya Kumar @ Romio Kumar, S/o Babloo Raut @ Bablu Kumar,
8. Rekha Devi, wife of Binod Raut, All residents of Village- Barheta, Police Station- Kalyanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Viveka Devi, wife of Dilip Raut, resident of Village- Barheta, Police Station- Kalyanpur, District- Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kalyanpur P.S.

Case No. 138 of 2016 instituted for the offence under Sections- 427, 379, 354 & other minor Sections of the Indian Penal Code and 3/4 of Dain Act.

From the written report, it appears that there is specific allegation against the petitioner No. 1 of taking signature of the informant on blank paper and administering rubbish in her mouth forcibly.



Therefore, this court is not inclined to grant anticipatory bail to the petitioner No. 1. Accordingly, his prayer for anticipatory bail is rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered on its own merit without being prejudice by this order and if possible, the same may be disposed off on same day in accordance with law.

So far petitioner Nos. 2 to 8 are concerned; there is general and omnibus allegation against them.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 2 to 8 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 Kalyanpur P.S. Case No. 138 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Samastipur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) 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 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)

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