

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41326 of 2017

Arising Out of PS.Case No. -134 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Phulmati Devi, wife of Ramadhar Sahani,
 2. Ramadhar Sahani, son of Late Gogehan Sahani.
 3. Bhikhari Sahani, son of Ramadhar Sahani.
 4. Lav Kush Sahani, son of Ramadhar Sahani.
 5. Gandhi Devi @ Sarita Devi, wife of Bhikhari Sahani, all residents of Village- Lakhaura Braham Tola, P.S.- Muffasil, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 29-08-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Muffasil (Lakhaura) P.S. Case No.134 of 2017 instituted for the offence under Section(s) 147, 148, 149, 323, 325, 447, 504, 506, 379, 354 Indian Penal Code and ¾ Witchcraft Practices (Prohibition) Act.

It has been submitted that the instant case has been filed on account of land dispute and it is counter blast to Muffasil P.S. Case No.129 of 2017 lodged by petitioner No.1, Phulmati Devi, against the informant and others.

From the written report of the instant case, it appears that vague and omnibus allegation has been leveled against the



petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Muffasil (Lakhaura) P.S. Case No.134 of 2017, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Chamapran, subject to the conditions as laid down under Section 438(2) 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 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)

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