

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40486 of 2017

Arising Out of PS.Case No. -336 Year- 2016 Thana -BELHAR District- BANKA

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1. Sabiya Devi, wife of Kailash Tanti,
 2. Sajani Devi, wife of Ajay Tanti,
 3. Ajay Tanti, son of Kailash Tanti,
 4. Chandan Tanti, son of Late Bishandeo Tanti,
- All are residents of Village- Jhikuliya, P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Belhar P.S. Case No. 336 of 2016 registered for offences under sections 341, 323, 324, 504/34 of the Indian Penal Code and Section 3 & 5 of the Prevention of Witches Practice Act (Dyan Act).

An allegation has been made that three persons used to call the victim as Dian and they also used to torture her. On the fateful day, Ajay Tanti and Chandan Tanti entered into the house in the night, when the victim woke up, Ajay Tanti caused injury to the victim by knife.



Looking to the entire facts and circumstances of the case, let the petitioner nos. 1, namely, Sabiya Devi and petitioner no.2, namely, Sajani Devi, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri V. Kumar, Judicial Magistrate, 1st Class, Banka in connection with Belhar P.S. Case No. 336 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner nos. 3 & 4 are concerned, this Court is not inclined to grant privilege of anticipatory bail to them. Accordingly, the prayer for anticipatory bail of the petitioner nos. 3 & 4, namely, Ajay Tanti and Chandan Tanti is rejected. If they surrender before the court below within a period of four weeks from today and pray for bail, the court below will consider the same and will pass orders on the same day of appearance in accordance with law without being prejudiced by this order.

(Shivaji Pandey, J)

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