

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46513 of 2017

Arising Out of PS. Case No.-351 Year-2017 Thana- TURKAULIYA District- East
Champaran

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1. Babulal Sah @ Babulal Sha, Son of Late Saryug Sah,
 2. Ramawati Devi @ Rmawati Devi, Wife of Babulal Sah @ Babulal Sha.
 3. Kintu Devi, daughter of Babulal Sah @ Babulal Sha.
 4. Nitu Devi, Daughter of Babulal Sah @ Babulal Sha.
 5. Kalu Devi, Wife of Late Khedan Sah.
 6. Ranjeet Sah, Son of Late Khedan Sah.
 7. Shobha Devi, Daughter of Late Khedan Sah.
 8. Tuni Devi @ Tunni Devi, Wife of Late Birnan Sah.
 9. Kamod Sah, Son of Late Birnan Sah. All are residents of Village- Belwa Mahanwa, P.S.- Turkaulia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III
For the Opposite Party/s : Mr. SMT. PUSHPA SINHA

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 22-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Turkaulia P.S. Case No. 351 of 2017, disclosing offences under Sections 147,148,149,341,323,324,307,302 and 504 of the Indian Penal Code.

There is allegation in the First Information Report of assaulting the deceased, a female child is 14 years with lathi, danda etc. From the case diary, however, it appears that cause of death has been found to be strangulation and throttling. In that background, it is submitted that the allegation made in the First Information Report is belied. It has also been submitted that prosecution version is highly absurd and it has been made to conceal the true facts.



The informant has opposed the prayer for anticipatory bail.

However, in my view, considering the materials in the case diary and nature of other materials on record, a case for anticipatory bail is made out.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, 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 the learned Chief Judicial Magistrate, Motihari, East Champaran in Turkauliya P.S. Case No. 351 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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