

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24467 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -RAJAUN District- BANKA

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1. Bimla Devi Wife of Guddu Paswan.
2. Gulabi Paswan, Son of Late Kush Haru Paswan.
3. Kailash Paswan, Son of Late Kush Haru Paswan.
4. Mantu Paswan, Son of Kailash Paswan.
5. Sandip Paswan, Son of Kailash Paswan. All are Resident of Village-
Makroundha, P.S. Rajoun, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Rajoun P.S.
Case No. 37 of 2017 instituted for the offence under Sections-
354(B), 379, 427, 435 & other minor sections of the Indian Penal
Code and 3/4 of Prevention of Witch Practice Act, 1999.

It has been submitted on behalf of the petitioner that
there is vague and omnibus allegation against these petitioners.
Both parties are agnates and occurrence took place on account of
family dispute. It has further been submitted that there was free
fight between both the parties in which, petitioner No. 1 has also
sustained injury on her person, for which, she has filed complaint
case bearing Complaint Case No. 158 of 2016. The learned
Sessions Judge referring paragraphs-20, 21, 22, 23 & 24 of the
C.D has discussed about the injury, found on the person of the



injured in the impugned order.

Counsel for the petitioners has submitted that all these injuries are simple in nature.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Rajoun P.S. Case No. 37 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Banka 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 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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