

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26686 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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1. Praduman Baitha S/o Late Yamuna Baitha
2. Dablu Baitha S/o Praduman Baitha
3. Alka Kumari D/o Praduman Baitha
4. Menka Kumari D/o Praduman Baitha
5. Indu Devi W/o Praduman Baitha All Five are R/o Haripur, Dharmpur,
P.S.-Sikta, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in a case instituted
for the offences under Sections 341, 323, 324, 307 and 379/34
of the Indian Penal Code.

Allegation has been made against petitioner nos. 1 and 2,
namely, Praduman Baitha and Dablu Baitha that they have
assaulted the informant and her daughter by Garasa and iron rod
respectively.

Learned counsel for the petitioners submits that both
parties have entered into compromise.

In such view of the matter, this Court is not inclined to
enlarge them on anticipatory bail. Accordingly their prayer for



bail is rejected. However, if the petitioner nos.1 and 2 surrender before the court below within a period of four weeks from today, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

There is no direct allegation against petitioner nos. 3, 4 and 5, namely, Alka Kumari, Menka Kumari and Indu Devi.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioner nos. 3, 4 and 5, namely, Alka Kumari, Menka Kumari and Indu Devi, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Sikta P.S. Case No.2 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if the petitioners will not co-operate during course of investigation and join for interrogation the police will be at liberty to file an application for cancellation of bail.

Vinay/-

(Shivaji Pandey, J)

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