

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40376 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Suresh Pandey son of Late Kokai Pandey
2. Prema Devi wife of Suresh Pandey
3. Deepak Pandey son of Suresh Pandey
4. Aman Pandey @ Aman Kumar Pandey son of Suresh Pandey All
residents of Village - Mahamada, Police Station - Pipra Kothi, District -
East Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioners and learned
A.P.P.

The petitioners seek anticipatory bail in connection
with Pipra Kothi P.S. Case No. 57 of 2018, registered for offences
punishable under Sections 341, 323, 307, 379, 354/34 of the
Indian Penal Code and Section 3/4 of the Witch Craft Act.

Allegation against the petitioners is that they have
assaulted with lathi and danda to the informant and also
administered the night soil to the informant.

Submission of the learned counsel for the petitioners is
that they have falsely been implicated in this case and large



number of cases is going on between the parties. It is further submitted that the allegation of administered of night soil is false and concocted.

Learned A.P.P. and learned counsel for the informant oppose the prayer for bail that there is allegation against the petitioners about administering the night soil to the informant.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named, except petitioner No. 1, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each in connection with Pipra Kothi P.S. Case No. 57 of 2018, to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and petitioners shall cooperate in the investigation and shall be present before police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

So far the allegation against the petitioner No. 1 is of



administered the night soil to the informant, I am not inclined to grant privilege of anticipatory bail.

However, in the facts and circumstances, I am not inclined to grant bail to the petitioner.

With this observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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