

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49434 of 2018

Arising Out of PS.Case No. -353 Year- 2018 Thana -BANKA District- BANKA

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1. Tinku Yadav, S/o Sri. Amar Yadav,
2. Bahadur Yadav, S/o Sri. Amar Yadav,
3. Khagdeo Yadav @ Gangadhar Yadav, S/o Mannu Yadav,
4. Sabiya Devi @ Sawutri Devi @ Savitri Devi, W/o Tinku Yadav,
5. Kiran Yadav @ Kuran Kumar, S/o Tinku Yadav,
6. Nawal Yadav @ Nawal Kishor Yadav, S/o Mannu Yadav, All resident of
Village- Gauripur (Manjira), Police Station- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-08-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Banka P.S.Case No. 353 of 2018, registered for offences punishable under Sections 143, 343, 323, 504, 506 and 379 of the Indian Penal Code and Section 3/4 of Witch Craft Act.

As per F.I.R., allegation against the petitioners is of assault to the informant and tried to administer her night soil.

Submission of the learned counsel for the petitioners is that the petitioners have been falsely implicated in this case and the present case has been lodged by the informant only to save his



skin because earlier a case was lodged as Banka P.S.Case No.351 of 2018 by the petitioners' side against the son of the informant. It is also submitted that the petitioners have no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named on surrender or arrest within six weeks be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S.Case No. 353 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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