

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18101 of 2018

Arising Out of PS.Case No. -1965 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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1. Shivanand Bahardar Son of late Panch Lal Bahardar
2. Prakash Bahardar Son of Shivanand Bahardar
3. Soni Devi Wife of Prakash Bahardar
4. Kavita Kumari Daughter of Shivanand Bahardar
5. Manoj Bahardar Son of Narayan Bahardar
6. Kalsi Devi Wife of Manoj Bahardar
7. Mithu Bahardar Son of Narayan Bahardar
8. Puja Devi Wife of Mithu Bahardar
9. Bidyanand Bahardar@ Bidyanand Singh Son of late Panch Lal Bahardar
10. Aniruddh Bahardar @ Aniruddh Bahardar Son of Bidyanand Bahardar

All Resident of Village Rampur Mohanpur, Police Station Araria(Bairgachhi0, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjan Devi Wife of Bheem Lal Bahardar All Resident of Village Rampur Mohanpur, Police Station Araria(Bairgachhi0, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No. 1965C/2016, registered for offences punishable under Sections 341, 323, 380, 427, 354 (B), 504, 506 of the Indian Penal Code and 3/4 of the Witch Act.

The accusation against the petitioners is that they have administered night soil and also tried to commit rape upon the complainant.

It has been submitted by the learned counsel for the petitioners that the allegations are general and omnibus in nature



and there is delay of five days in lodging the F.I.R.

Learned Additional Public Prosecutor and learned counsel for the informant oppose the prayer for bail.

In the facts and circumstances of the case and taking into consideration that the petitioners have no criminal antecedents, the prayer of Anticipatory bail of petitioners are allowed and in the event of their arrest or surrender before the Court below within a period of six weeks from the date of 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 Complaint Case No. 1965C/2016 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Araria , subject to the conditions laid down under Section 438 (2) Cr.P.C. with other conditions that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and shall cooperate in the trial and shall be present before Court as and when required and if petitioners tamper with the evidence or thereafter the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Vinod Kumar Sinha, J)

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