

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62750 of 2018

Arising Out of PS. Case No.-801 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Kalawati Devi wife of Basant Paswan
 2. Suraj Ram son of late Bachchan Paswan
 3. Shavir Ram @ Sahvir Ram son of late Khelawan Ram
 4. Satya Narayan Paswan, son of late Dukhit Paswas
 5. Chandan Paswan, son of Basant Paswan
 6. Nand Lal Ram, son of Ganaur Ram
 7. Gonaur Ram, son of late Khelawan Ram
 8. Manoj Ram, son of Jagdish Ram
 9. Pramod Ram, son of Shavir Ram @ Sahvir Ram, all residents of village-Sirha, P.S.-Pakaridayal, District-East Champaran.

... .. Petitioner/s

Versus

1. State of Bihar
2. Kismati Devi, wife of Ramanand Ram, resident of village-Sirha, P.S.-Pakaridayal, District-East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Sheela Pandey
For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are apprehending arrest in connection with
Trial No.1820 of 2017 arising out of complaint case no. C-
801/2017 for the offence under sections 323, 341, 379/34, 307
of the Indian Penal Code and 3/4 of the Prevention of Witch
(Dayan) Practices Act.

Having regard to the criminal antecedent of petitioner
nos. 1, 4 and 5, the Court is not inclined to grant privilege of



anticipatory bail. Their prayer for grant of anticipatory bail is rejected. However, rejection of their application for anticipatory bail will not cause any prejudice to petitioner nos. 1, 4 and 5 before the Court below.

In the event, they pray for grant of regular bail before the court below, the court below is directed to consider the same on its own merit on the same day without being influenced by the rejection of their application for anticipatory bail and also considering the statement that parties are contemplating entering into a compromise.

Considering the case of remaining petitioner nos. 2, 3, 6 to 9, the Court on consideration of the totality of the facts and circumstances that there is no specific allegation except they are family members of the accused persons.

Considering the totality of the facts and circumstances mentioned hereinabove, let the petitioners, namely, Suraj Ram, Shavir Ram @ Sahvir Ram, Nand Lal Ram, Gonaur Ram, Manoj Ram and Pramod Ram in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of



learned C.J.M., Motihari, East Champaran, in connection with
Trial No. 1820 of 2017, arising out of complaint case No. C-801
of 2017 subject to the condition as laid down under section
438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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