

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42216 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- KARENDE District- Sheikhpora

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1. Sabuja Devi @ Sabujba Devi, W/o Late Chhotan Ram,
 2. Birhaspati Ram @ Brahspati Ram,
 3. Etwari Ram @ Atwari Ram,
 4. Subelal Ram, 2 to 4 are sons of Late Chhotan Ram, All are residents of Village- Kurmuri, Police Station- Karandey, District- Sheikhpora.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.-2, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 24-08-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Karandey P.S. Case No. 17 of 2018 instituted for the offence under Sections 341,323,324,325,307,504,34 of the Indian Penal Code and Section 3/4 of the Witch Craft Practices Act.

Learned counsel for the petitioner has submitted that prior to the present occurrence the son of petitioner no. 1 and brother of petitioner no. 2 to 4 has been killed by the family members including the son of the informant for which Karandey P.S. Case No. 16 of 2017 has been lodged under Section 147,148,149,302 and 504 of the IPC.

It is alleged in the instant case that all these petitioners assaulted the informant by calling her dian. Injury



report has been annexed as Annexure-2 to this petition which shows that the injury no. 1 is wound in skull bone 2"x ½" x 2" and other injuries are pain and swelling in right leg caused by hard and blunt substance and opinion of injury was kept reserved due to x-ray report.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Karandey P.S. Case No. 17 of 2018 to the satisfaction of learned Judicial Magistrate, 1st Class, Sheikhpura, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at



liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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