

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3818 of 2019

Arising Out of PS. Case No.-456 Year-2018 Thana- SASARAM NAGAR District- Rohtas

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1. Soni Kunwar wife of Late Mithai Ram
 2. Rama Shankar son of Late Mithai Ram
Both resident of Mohalla- Sagar, P.S.- Sasaram (Town), District-Rohtas
 3. Shyama Devi wife of Binod Ram
 4. Karan Ram son of Binod Ram
Both residents of Mohalla- Baulia, P.S.- Sasaram (Town), District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-01-2019 Heard both sides.

The petitioners apprehend their arrest in S.T. No.276 of 2018 arising out of Sasaram (Town) P.S. Case No.456 of 2018 registered under Section 307 and other minor Sections of the Indian Penal Code and Sections 3/4 of Prevention of Witch Practices Act. Later on, Section 302 of I.P.C. was added after death of Suresh Ram during the course of treatment.

The learned counsel for the petitioners submits that the prosecution story disclosed that a panchayati was held and the accused persons, named in the F.I.R., indiscriminately assaulted the informant and his family members. During the course of treatment, one Suresh Ram succumbed to the injury.



Learned counsel for the petitioners further submits that no specific allegation is made against the petitioners and similarly situated other co-accused persons have been granted regular bail as well as anticipatory bail. It is further submitted that petitioner No.1 and 3 are ladies.

It appears from perusal of the F.I.R. that informant named the petitioners and alleged that they indiscriminately assaulted the informant and his family members. Later on, Suresh Ram died during the course of treatment.

Considering the facts aforesaid and nature of allegation made against the petitioner Nos.2 and 4, I am not inclined to enlarge the petitioner Nos.2 and 4 on anticipatory bail. Accordingly, the anticipatory bail petition for petitioner Nos.2 and 4 are rejected.

So far as the case of petitioner Nos.1 and 3 are concerned, considering the nature of allegation and the fact that they are ladies, let the petitioner Nos.1 and 3, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. VII,



Sasaram(Rohtas) in connection with S.T. No.276 of 2018 arising out of Sasaram(Town) P.S. Case No.456 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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