

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19032 of 2019

Arising Out of PS. Case No.-1989 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Babita Devi Wife of Shivjee Roy
 2. Gudia Devi Daughter of Shivjee Roy
 3. Shivjee Roy Son of Late Sukan Roy
All resident of Village- Meghua Morsandi, P.S.- Motipur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kaushalya Devi Wife of Liladhar Rai Resident of Vill.- Meghua Morsandi,
P.S.- Motipur, Dist.- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-05-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 1989 of 2015, disclosing offences under Sections 323, 379, 504 of the Indian Penal Code and Section 3/4 of the Witch Practices Act, 1999.

Allegation as per complaint petition against the petitioners is of calling the complainant as Dayan and they entered inside the house of the complainant and on the order of petitioner no.3, petitioner no.2 Gudiya Devi sit on the chest of the complainant and dropped stool in her mouth and other petitioners were holding her hands and legs.

Submission of learned counsel for the petitioners is that



case has also been lodged by the petitioners' side against the family members of the complainant for dowry demand and the petitioners have falsely been implicated in this case.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no.2 is concerned, considering the nature of allegation, I am not inclined to grant anticipatory bail to petitioner no.2, rather she should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

So far petitioner nos. 1 & 3 are concerned,, this application is allowed. Let the petitioner nos. 1 & 3, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Muzaffarpur (West), in connection with Complaint Case No. 1989 of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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