

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42456 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- RAJEPUR District- East Champaran

1. Sajan Sah Son of Manoj Sah, Resident of Village - Lahladpur, P.S.- Rajepur, Distt - E. Champaran.
2. Manoj Sah Son of Bhikhari Sah, Resident of Village - Lahladpur, P.S.- Rajepur, Distt - E. Champaran.
3. Kamal Sah Son of Bindeshwari Sah, Resident of Village - Lahladpur, P.S.- Rajepur, Distt - E. Champaran.
4. Kishori Sah Son of Shiv Sah, Resident of Village - Lahladpur, P.S.- Rajepur, Distt - E. Champaran.
5. Prem Sah Son of Durga Sah, Resident of Village - Lahladpur, P.S.- Rajepur, Distt - E. Champaran.
6. Durga Sah Son of Bindeshwari Sah, Resident of Village - Lahladpur, P.S.- Rajepur, Distt - E. Champaran.
7. Rajesh Sah Son of Vishwanath Sah, Resident of Village - Lahladpur, P.S.- Rajepur, Distt - E. Champaran.
8. Krim Kumar @ Karim Sah Durga Sah, Vill-Lahladpur, P.S.-Rajepur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-09-2019 Heard learned counsel for the petitioners. No one appeared on behalf of the State.

The petitioners in the present case are seeking anticipatory bail in connection with Rajepur P.S. Case No. 08 of 2019 registered for the offences punishable under Sections 147, 341, 307, 504, 324, 379 of the Indian Penal Code and Sections



3, 5 and 7 of Prevention of Witch Craft Act.

Learned counsel for the petitioners submits that there are allegations of causing assault against Sajan Sah, Manoj Sah and Prem Sah petitioners no. 1, 2 and 5 respectively. Learned counsel, however, submits that the nature of weapons which have been attributed to these petitioners and the kind of injuries found on the body of the injured are not in consonance with each other. It is submitted that those injuries have been caused by hard blunt substance.

Learned counsel submits that so far as the petitioners namely, petitioners no. 3, 4, 6, 7 and 8 are concerned, there are no specific allegations of causing assault by any deadly weapon against them.

This Court has perused the materials available on record. So far as petitioners no. 1, 2 and 5 are concerned, since there are specific allegations against them of using deadly weapons and causing injuries on the vital part of the body, this Court is not willing to extent the privilege of anticipatory bail to petitioners no. 1, 2 and 5. Therefore, their prayer for anticipatory bail is refused.

So far as petitioners no. 3, 4, 6, 7 and 8 are concerned, since there is no specific allegation of causing any



injur on vital part of the body, let the petitioners no. 3, 4, 6, 7 and 8 above named in the event of their arrest or surrender within a period of four weeks from today in connection with Rajepur P.S. Case No. 08 of 2019 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

avin/-

U		T	
---	--	---	--

