

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53276 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- COMPLAINT CASE District- Jamui

1. MAHADEO TUDU son of Mangra Tudu Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.
2. Suresh Tudu Son of Mangra Tudu Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.
3. Sanjay Tudu Son of Mangra Tudu Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.
4. Hari Hansda Son of Pagan Hansda Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.
5. Genda Fool Besra Wife of Mahadeo Tudu Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.
6. Lalita Marandi Wife of Suresh Tudu Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.
7. Suraj Muni Hansda wife of Sanjay Hansda Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.
8. Manmuni Baske Wife of Hari Hansda Resident of Village- Durgadih, Police Station- Chakai, District-Jamui.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shanti Soren Daughter of Motilal Baske Resident of Village- Durgadih, Post- Kiyajori, Police Station- Chakai, District-Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 47C of 2019, in which cognizance
under Sections 323/379/354/34 of the Indian Penal Code and



Sections 3/4 of the Prevention of Witch Practices Act.

The allegation against the petitioners, as per the complaint, is that on 06.01.2019, in the night, when the complainant was sleeping in her house, the petitioners entered into her house after opening the door and the petitioner no. 1 tried to commit rape on her and other accused persons took away Rs. 30,000/- kept in a box and silver jewellery of the complainant and called the complainant as 'dian'.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case based upon the malafide complaint. He further submits that there is land dispute between the parties inasmuch as the land of the petitioners situate near the house of the complainant, which the complainant wanted to encroach the said land.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are co-villagers and there appears to be land dispute between them and the complaint has been filed after delay of three days on 09.01.2019, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, Jamui, in connection with Complaint Case No. 47C of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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