

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 8449 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. SHIV KUMAR RAM Son of Ram Vilas Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.
 2. Pragas Ram Son of Shiv Kumar Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.
 3. Rambalak Ram Son of Shiv Kumar Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.
 4. Ram Bharosi Ram Son of Shiv Kumar Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.
 5. Lalita Devi Wife of Shiv Kumar Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.
 6. Poonam Devi Wife of Pragas Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.
 7. Gangiya Devi Wife of Rambalak Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi Wife of Lalit Ram Resident of Village- Kanhauli, Bela Kothi, Licchi Bagaan, P.S.- Khajauli, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with CR
Case No 237 of 2019 dated 26.03.2019 corresponding to Trial
No 386 of 2019 instituted for the offence punishable under



Section (s) 147, 149, 323, 341, 504 of Indian Penal Code and Sections 3/4 of Dian Act.

The complaint case has been instituted against the petitioners that they came to the house of the complainant and objected that she was indulging in witchcraft leading to sickness of a child in the family of the accused persons. It is also alleged that they have snatched silver chain and articles worth about Rs 20,000/- and also taken away Rs 5,000/- cash.

Petitioners' counsel submits that it is out and out a false case. The petitioners have no criminal antecedent and that actually the informant had indulged in assault on the petitioners' side on 03.03.2019 leading to lodging of Khajauli PS Case No 30 of 2019 dated 06.03.2019 against the complainant, her husband and daughter. To scuttle the said prosecution, the instant case implicating the petitioners has been lodged as a counterblast.

Learned APP for the State has opposed the prayer for bail.

In the facts and circumstances of the case, prayer of petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the Court below, within four (04) weeks from today, they shall be released on bail on each of them furnishing bonds of Rs



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 02nd Class, Madhubani in connection with CR Case No 237 of 2019 dated 26.03.2019 corresponding to Trial No 386 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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