

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7932 of 2021**

Arising Out of PS. Case No.-105 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

1. Laxman Das Son of LATE RAJDEO DAS Resident of Village - Gharbhara, P.S. - Bochahan, District - Muzaffarpur.
2. Sarswati Devi Wife of Laxman Das Resident of Village - Gharbhara, P.S. - Bochahan, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nachiketa Jha, Advocate  
For the Opposite Party/s : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

5      04-04-2022                      At the very outset, learned counsel for the petitioners,  
  
seeks permission to withdraw the petition of petitioner no.1,  
  
namely, Laxman Das,

Permission is accorded.

Accordingly, the petition of petitioner no.1, namely,  
  
Laxman Das is dismissed as withdrawn.

Heard learned counsel for the petitioner no.2 and  
  
learned APP for the State.

The petitioner no.2, namely, Sarswati Devi is  
  
apprehending her arrest in a case registered for the offences  
  
punishable under Sections 302, 307, 326, 147, 149, 504 and  
  
506 of the IPC and Sections 3, 4 and 5 of the Witchcraft Act.

It is a case of commission of murder of the  
  
informant's mother by means of lathi by the accused persons.



It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is specific allegation of assault upon petitioner no.1 and co-accused Shyam Sunder Das, as a result of which the informant's mother succumbed to injuries. He further submits that there is general and omnibus allegation against petitioner no.2 and petitioner has got clean antecedent.

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

In the facts and circumstances of the case, let the petitioner, no.2, namely, Sarswati Devi, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-6th-cum-Special Judge POCSO, Muzaffarpur in connection with Bochahan P.S. Case No. 105 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

Brajesh Kumar/-

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