

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43334 of 2023

Arising Out of PS. Case No.-164 Year-2022 Thana- ANDHRATHARHI District- Madhubani

1. Vijay Jha @ Vijay Kumar Jha S/O Late Bhagirath Jha R/O Village- Niktha, P.S- Andhrathadhi, Distt.- Madhubani.
2. Renu Devi W/O Vijay Jha R/O Village- Niktha, P.S- Andhrathadhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Andhrathadhi P.S. Case No. 164 of 2022 instituted under Sections 341, 323, 504, 506 and 379 / 34 of the Indian Penal Code and 3/4 Prevention of Witch (DAAIN) Practices Act.

3. The allegation against the petitioners is that they entered the informant's courtyard and started abusing her by saying daain, assaulted the informant and also snatched the earring from her.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence and they have falsely been implicated in this case. He further



submits that petitioners are next door neighbours of the informant and there is dispute with regard to passage which belongs to the petitioners. He also submits that the alleged date of occurrence was 18.08.2022 and the F.I.R. has been lodged on 20.11.2022 that is about more than three months without any reasonable explanation. Petitioners have no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate Ist Class, Jhanjharpur in connection with Andhrathadhi P.S. Case No. 164 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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