

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48417 of 2024

Arising Out of PS. Case No.-110 Year-2023 Thana- MAIN P.S. District- Gaya

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1. Jitendra Chauhan Son of Sadhu Chauhan Resident of Village - Manarsa, P.S.- Men (Pai Bigha O.P.), District - Gaya
 2. Gayatri Devi Wife of Jitendra Chauhan Resident of Village - Manarsa, P.S.- Men (Pai Bigha O.P.), District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Devi Das Srivastava, Advocate
For the State : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 448, 427, 511, 504 and 506 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Witch (Daain) Practices Act.

3. The prosecution case, in brief, is that on 17.09.2023 at about 9PM, while the informant was at her house, in the meantime, all the accused persons named in the F.I.R., including these petitioners, came there and tried to break the door and started abusing and calling the informant *daain*. It is further alleged that they attempted to kill her.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case due to village politics. As a matter of fact, informant and petitioners are own relatives. Allegations are general and omnibus. There is no specific accusation of overt act against these petitioners. Similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 12.03.2024 passed in Cr. Misc. Nos. 14169 of 2024 and 13000 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and claims based on parity, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-2, Gaya, in connection with Men (Pai Bigha O.P.) P.S. Case No.110 of



2023 subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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