

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8585 of 2015

Arising Out of PS.Case No. -340 Year- 2014 Thana -BODHGAYA District- GAYA

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1. Sita Ram Yadav
 2. Guddu Yadav
 3. Surendra Kumar @ Yadav All sons of Muneshwar Yadav
 4. Dileep Yadav son of Nandlal Yadav
 5. Anil Yadav son of Late Kailash Yadav
 6. Santosh Yadav son of Shaukhi Yadav All resident of village Gapha Kala, P.S. - Bodh Gaya, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Bodhgaya P.S. Case No. 340 of 2014 registered for the offence under Sections-341, 147, 148, 149, 448, 380, 504 of the Indian Penal Code and Section-4 of Prevention of Witch Craft Act.

It is obvious that except Section-380 of the Indian Penal Code and Section-4 of Prevention of Witch Craft Act, all the sections are bailable in nature.

The contention on behalf of the petitioners is that petitioners are agnates of the informant and as a matter of fact, the

present case was lodged on account of family feud and no case u/S 4 of Prevention of Witch Craft Act is made out and so far as the allegation of theft is concerned; the same is nothing but only super addition.

Taking note of the aforesaid facts and circumstances as well as keeping this aspect of the matter that it was co-accused, Sadhu Yadav, who called the informant as witch, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Bodhgaya P.S. Case No. 340 of 2014 to the satisfaction of Chief Judicial Magistrate, Gaya subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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