

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11182 of 2015

Arising Out of PS.Case No. -311 Year- 2014 Thana -FATEHPUR District- GAYA

1. Jitendra Prasad Son of Sahadeo Prasad
2. Sikandar Kumar Son of Nandlal Prasad
Both are residents of Village- Brindavan, Police Station- Fatehpur,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh(APP)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-03-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 341, 337, 504/34 of the Indian Penal Code and 3/4 of the Prevention of Witch Practices Act. Subsequently, Section 307 of the Indian Penal Code was also added

It is alleged that the accused persons started abusing the mother of the informant by calling her Witch and when the informant made protest, then stones and bricks were pelted by the accused persons, causing injury to the informant.

It is submitted by the learned counsel for the petitioners that the accusation of assault is not specific, though

the injuries have not been found to be grievous. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent. There is counter versions of the occurrence and the accusation has been levelled in the background of petty land dispute as the petitioners are agnates of the informant.

It is submitted by the learned counsel for the informant that injuries have been found on the vital part of the body and Doctor has opined that injury is dangerous to life.

Considering the fact that the accusation of assault is not specific against the petitioners and there is counter version of the occurrence, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya in connection with Fatehpur P.S. Case No. 311 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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