

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12591 of 2015

Arising Out of PS.Case No. -122 Year- 2014 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. Munni Devi wife of Sosindra Bhagat resident of Village - Jitaura, P.S. -
Madhuban, District - East Champaran.

.... .. Petitioner/s

Versus

1. The State of Bihar.

.... .. Opposite Party/s

with

Criminal Miscellaneous No.17653 of 2015

Arising Out of PS.Case No. -122 Year- 2014 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. Chaulahi Bhagat @ Chulahi Bhagat Son of Late Manki Bhagat,
2. Laldhar Bhagat son of Late Manki Bhagat
3. Shambhu Prasad son of Laldhar Bhagat,
4. Prabhu Prasad son of Laldhar Bhagat,
5. Sangita Devi Wife of Surendra Sah
6. Most. Dukhani @ Most. Dukhini, W/o Late Laljee Bhagat,
7. Ramjee Bhagat Son of Late Manki Bhagat,
8. Shoshila Devi Wife of Sheo Prasad,
9. Pramila Devi Wife of Daroga Prasad,
10. Radhika Devi Wife of Laldhar Bhagat
All residents of village- Jitora, P.S.- Madhuban, District- East Champaran

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :
(In Cr.Misc. No.12591 of 2015)
For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Md. A.Haque Sahara (App)
(In Cr.Misc. No.17653 of 2015)
For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

P.S. Case no. 122/2014 registered under section 302 and other allied sections of the Indian Penal Code as well as section 3/4 of the Prevention of witch Practices Act, 1999 in which petitioners apprehend their arrest and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Although petitioners are named in the first information report and it is alleged that deceased was killed due to allegation of witchcraft and at the time of occurrence, night soil was administered to the deceased but in course of investigation, witnesses stated that an altercation took place between females and deceased was being abused calling witchcraft. So far as administration of night soil is concerned, witnesses have not supported the aforesaid fact and according to the prosecution case, fatal blow was given by co-accused Premchand Kumar.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, taking note of allegation levelled against these petitioners, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the



satisfaction of the Sub divisional Judicial Magistrate,
Sikrahana, East Champaran at Motihari in Madhuban P.S. Case
no. 122/2014 subject to condition as laid down under section
438(2) of the Cr.P.C.

shahid

(Hemant Kumar Srivastava,J)

