

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34173 of 2015

Arising Out of PS.Case No. -68 Year- 2014 Thana -MADHEPUR District- MADHUBANI

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1. Chhedi Mahto Son of Late Sukal Mahto
 2. Ram Pravesh Mahto
 3. Udish Mahto
 4. Mahesh Mahto
 5. Umesh Mahto @ Umesh Kumar Sl. Nos. 2 to 4 are sons of Chhedi Mahto
 6. Paro Devi Wife of Chhedi Mahto
 7. Sita Devi Wife of Mahesh Mahto All are the resident of village - Harbhanga, P.S. Mdhepur (R.S. Shivir), District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha
For the Opposite Party/s : Mr. Nand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,354,448,380 and 504/34 of the Indian Penal Code and The Prevention of Witch (daain) Practices Act, 1999.

The prosecution case is that the accused persons entered into the house of the informant in the night when it is specifically alleged that petitioner no. 4 Mahesh Mahto

administered night soil to the informant and other accused persons were addressing her as a witch. When the son of the informant came he found that the box was broken and jewellery worth rupees twenty thousand was taken away by the accused persons.

It is submitted by the learned counsel for the petitioners that for petty dispute the accusation has been levelled and the investigation has already concluded. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the specific accusation against petitioner no. 4 Mahesh Mahto, let the learned court below consider the prayer for regular bail of the petitioner no. 4 in case the petitioner no. 4 surrenders within six weeks from today in connection with Madhepur (R.S. Shivir) P.S. Case No. 68 of 2014 pending in the court of learned A.C.J.M. Jhanjharpur.

So far as petitioner nos. 1 to 7 are concerned, keeping in view the totality of the accusation and the fact that petitioners have no criminal antecedent, let the above named petitioner nos. 1 to 7 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail

bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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