

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5085 of 2015

Arising Out of PS.Case No. -1459 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Arun Yadav, Son of Late Binod Yadav
 2. Lalita Devi, Wife of Arun Yadav
- Both resident of Village - Jiyanganj, Mahadeopur, P.S. Sarai, District Purnea.
3. Sakaldeo Yadav, Son of Late Kainku Yadav resident of village Masuriya P.S. Sarai, District Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 05-02-2015 Heard both sides.

The petitioners, namely, Arun Yadav, Lalita Devi and Sakaldeo Yadav, apprehend their arrest in Complaint Case No. 1459/2012 registered under Sections 3/4 of the Witchcraft Act.

The complainant alleged that the petitioners called her witch, assaulted her and tried to put night-soil in her mouth.

Learned counsel for the petitioners submits that the petitioners have not committed any offence. The police, on the basis of the information given by the complainant, registered Sarsi P.S. Case No. 18/2010. The police, after investigation, found the case false and submitted final form. Thereafter, the complainant

filed a protest petition and the learned court below, after enquiry, found a prima facie case under Sections 3/4 of the Witchcraft Act.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in Complaint Case No. 1459/2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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