

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51932 of 2015

Arising Out of PS.Case No. -133 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Ghuran Ram S/o Gulat Ram
2. Kari Ram S/o Lalan Ram
3. Budhan Ram S/o Saryug Ram
4. Pabiya Devi @ Paiya Devi W/o Lalan Ram All of resident of village-
Bair, Tola- Pokharipar, P.S.- Kusheshwer Asthan, District- Darbhanga
..... Petitioner/s

Versus

1. The State of Bihar
2. Parwati Devi W/o Dukhi Rai Resident of Village- Bair Tole Pokharipar,
P.S.- Kusheshwar Asthan, District- Darbhanga
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sita Ram Yadav
For the Opposite Party/s : Mr. Nand Kishore Prasad, (App)

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CORAM: HON'BLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-12-2015

Heard both sides.

Petitioners apprehend arrest in a case registered
for the offences punishable under sections 341, 380, 323, 448, 504
of the Indian Penal Code and section 3/4 of the Witchcraft Practices
Act.

Learned counsel for the petitioners submits that
the complainant filed this complaint petition on 15.03.2014
alleging therein that on 13.03.2014 the occurrence took place. All
the accused persons came to her house. Budhan Ram, petitioner
no. 3 threw excreta on the face of the complainant making
allegation that she is witch.

It is submitted that all the allegations are false
and concocted. Pabiya Devi, petitioner no. 4 filed Complaint Case
No. 116 of 2014 alleging therein that Parwati Devi and six others

assaulted her and took away different articles from her house. The complainant filed this case in order to create defence than in the revenge of the case filed by petitioner no. 4 Pabiya Devi.

Considering the fact that earlier petitioner no. 4 filed complaint case no. 116 of 2014 against the complainant and others and thereafter the complainant filed instant complaint petition on 15.03.2014 for the occurrence which took place on 13.03.2014 making allegation against Budhan Ram, petitioner no. 3 about throwing of excreta on her face and no specific allegation has been made against other accused persons including petitioner nos. 1 and 2 and petitioner no. 4 Pabia Devi is said to have stolen articles from the house of the complainant, the petitioners above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Biraul at Benipur, District Darbhanga in connection with Complaint Case No. 133 of 2014/T.R. No. 985 of 2014 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

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