

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26267 of 2015

Arising Out of PS.Case No. -152 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jay Prakash Sah
 2. Om Prakash Sah both are sons of Guja Sah
 3. Laxmina Devi W/o Guja Sah All are resident of village - Katahnn
Loknathpur, P.S. Muffasil Motihar, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Kalyan Shankar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-09-2015

Heard learned counsel for the petitioners and the State.

The petitioners no. 2 and 3 are apprehending their arrest in a case instituted under Sections 341, 323, 307, 34 and 379 of the Indian Penal Code and 3 / 4 of the Witch's Act.

Allegation against the petitioners along with other accused is that they assaulted the informant to eliminate her witch power. It is also alleged that the petitioners made the informant to have excreta. They also assaulted informant's sons and took away ornaments amounting to Rs.20,000/-.

It has been submitted on behalf of the petitioners that they have got no criminal antecedents. It is a case and counter case between the parties. From perusal of the injury report (Annexure-3) it would appear that the injuries are simple in nature.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts, let the above named

petitioners no. 2 and 3, in the event of arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, Motihari, in connection with Muffasil Motihari P.S. Case no. 152 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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