

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57189 of 2015

Arising Out of PS.Case No. -185 Year- 2015 Thana -SABAUR District- BHAGALPUR

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1. Gopal Mandal Son of Late Hira Mandal
2. Asha Devi @ Pawanti Devi, wife of Gopal Mandal, Both are Resident of
Village- Shankarpur, P.S.- Sabour, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. S.M. Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 447,341,323,504 and 506/34 of the Indian Penal Code and sections 3 and 4 of The Prevention of Witch (daain) Practices Act, 1999.

The prosecution case is that the accused persons came on motorcycle, assaulted and abused the daughter of the informant and threatened her to stop witchcraft practices.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general. The daughter of the informant purchased certain lands in which the petitioner no. 1

was the witness. It is further submitted that petitioner no. 1 advanced some loan amount to the daughter of the informant and for making an excuse for not returning the loan amount the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation and petitioners having no criminal antecedent, let the above named petitioners 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 JM, Bhagalpur in connection with Sabour P.S. Case No. 185 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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