

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24952 of 2014

Arising Out of PS.Case No. -1162C Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

- =====
1. Gayatri Devi wife of Ramautar Kushwaha.
 2. Chandrawati Devi wife of Ramchandra Kushwaha.
 3. Pramod Kushwaha son of Late Ramdhani Kushwaha.
 4. Sachitanand Kushwaha son of late Kamleshwar Kushwaha.
 5. Narsingh Kushwaha son of late Sukhal Kushwaha.
 6. Kailash Kushwaha son of late Budhram Kushwaha
 7. Ramautar Kushwaha son of late Saral Kushwaha.
 8. Ramchandra Kushwaha son of late Tapi Kushwaha.
 9. Dinesh Kushwaha son of Kamleshwar Kushwaha.
 10. Umesh Kushwaha son of Kamleshwar Kushwaha.
 11. Suresh Kushwaha son of Sudama Kushwaha
- All residents of Village Murghwa, P.S. Dhanha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Akali Devi wife of Sukhadi Kushwaham R/o Mugahwa, P.S. Dhanaha, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 13-05-2015

Heard learned counsel for the petitioners, learned counsel for the Complainant and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 380 of the Indian Penal Code and under Section 3, 4 of the Prevention of Witch Craft Practices Act registered in connection with Complaint Case No. 1162C of 2011.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of the earlier Dhanha P.S. Case No. 89 of 2011 filed by the wife of petitioner no. 6 in

which Haresh Kushwaha was an accused and it is only at his instigation that the present complaint has been filed in which he is a witness.

4. Learned counsel for the complainant appears and opposes the anticipatory bail petition.

5. It is submitted that owing to communication gap and misunderstanding between learned counsel for the petitioners and his client, the bail bond could not be furnished within time in connection with provisional anticipatory bail granted by this Court in terms of order dated 24.09.2014.

6. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran, in connection with Complaint Case No. 1162C of 2011, Trial No. 5342 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

Md. Ibrarul/-

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