

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54743 of 2015

Arising Out of PS.Case No. -477 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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1. Sushil Thakur Son of Brijan Thakur@Sujan Thakur Resident of Village-
Raipur, Police Station- Runnisaidpur, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 04-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,354 and 504/34 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 to the door of the informant, abused and addressed her as witch since she had practiced witchcraft on the children of the accused side. The accused persons pulled the informant by holding her hair when petitioner pulled the sari of the informant. It is also alleged that the accused persons assaulted the informant with fists and slaps when daughter in law of the informant came to rescue, she was also assaulted.

It is submitted by the learned counsel for the petitioner that the petitioner is the agnate of the informant and for a dispute with regard to drainage the case has been lodged with frivolous accusation. For the occurrence of 25.7.2015 the complaint was filed on 28.7.2015 which came to be registered as police case on 3.9.2015. It is further submitted that no injury was caused to the informant. Earlier also the informant side filed a case against the petitioner with similar accusation in which the petitioner is on bail.

Considering the delayed lodging of the case, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Runnisaidpur P.S. Case No.477 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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