

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6284 of 2016

Arising Out of PS.Case No. -1728 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Angad Yadav @ Angad Kumar Yadav Son of Late Udit Yadav @ Muktar Yadav
2. Mushan Kumar @ Chunchun @ Chunchun Kumar Son of Dip Narayan Yadav
3. Vikash Kumar @ Vikash Yadav Son of Late Udit Yadav @ Muktar Yadav
4. Parasmain Devi Wife of Late Udit Narayan Yadav @ Muktar Yadav
5. Durgi Devi @ Durga Devi Wife of Late Udit Narayan Yadav @ Muktar Yadav All residents of village - Sabaila, P.S. Sour Bazar, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Gulab Devi Wife of Vidyanand Yadav Resident of village - Sabaila, P.O. Dhanchhoha, via - Mathai, P.S. Sour Bazar, District - Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.
For the Opposite Party/s : Mr. Sangita Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 147, 323, 341 and 506 of the Indian Penal Code and Section 3/4 of the Prevention of Witch (Daain) Practices Act.

The prosecution case is that the accused persons assaulted the complainant and addressed her as a witch and when Radha Devi came to rescue, she was also assaulted by the accused

persons when the accused persons also took out ₹25,000/- from the house of the informant.

It is submitted by learned counsel for the petitioners that for the initial occurrence of 07.11.2014 and the last occurrence of 13.11.2014, the complaint was filed on 15.11.2014 when no injury was caused to anyone particularly resisting injury. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed ventilation of accusation through complaint, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Saharsa in connection with Complaint Case No. 1728C of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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