

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10252 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -HASANGANJ District- KATIHAR

- =====
1. Pradeep Das son of Late Damodar Das
 2. Nand Lal Das
 3. Baijnath Das Both sons of Late Durai Das
 4. Binod Das son of Nageshwar Das
 5. Bhola Das
 6. Manoj Das Both sons of Suren Das
 7. Rajesh Das Son of Suren Das All residents of Village- Babaiya, Police Station- Hasanganj, Distt- Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Najmul Hoda, Advocate
For the Opposite Party : Mr. S.M.Rahman, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Hasanganj P.S. Case No. 37 of 2015 for the offences instituted under Sections 341, 323, 354(B), 385, 504 and 506/34 of the Indian Penal Code and Sections 3/4 of Witch Craft Act.

As per prosecution case all the accused persons including the petitioners alleging the informant to be a witch and she has killed the child in the womb of the daughter of co-accused Kamal Das by playing witch activities, took her forcibly at the door of



said co-accused and ordered to pay a fine of Rs.30,000/- to which the informant replied that she is a poor lady and she has not done any witch activity. Thereafter, all the accused persons with other 100-150 unknown persons being reacted, started assaulting her brutally. She was dragged by catching her hair and her sari and blouse was torn by the accused persons including the petitioners.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. There is no specific allegation against the petitioners. General and omnibus allegation has been made against them. From perusal of Annexure-2, it is evident that the matter has been settled between the parties.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Hasanganj P.S. Case No. 37 of 2015 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Saba Alam, Judicial Magistrate, Ist Class, Katihar, subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--

