

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18147 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -GURARU District- GAYA

- =====
1. Ashish Yadav @ Ramasish Yadav S/o Chandrabhan Yadav
 2. Chandrabhan Yadav S/o Late Aklu Yadav
 3. Chandrik Bhuiyan S/o Bira Bhuiyan

All are Resident of village - Pirwan, P.S. Gurua, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-04-2016 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 326, 504, 506 of the Indian Penal Code, 3/4 of the Prevention of Witch Practices Act and 3(1) (iii) (x) (xv) of the S.C./S.T.(Prevention of Atrocities) Act of the Indian Penal Code.

The prosecution case is that prior to the occurrence the minor son of Upendra Yadav died, when all the accused persons blamed the informant to have played witch



craft on the child, as a result he died. On 14.01.2016 Upendra Yadav, Panchu Prajapat and Chandrika Bhuiyan forcibly took the informant. The accused persons called a Panchayat and in the said Panchayati three punishment awarded against the informant as remove the hair of the informant and to move in the village after putting over she buffalo, his own son to beat her five danda, to pay 10,000/- rupees to Upendra Yadav. On such order of Panchayat Shyamdeo Yadav saved the hair of the informant and wife of Bigan Yadav smeared black kalikh and sindoor upon the face of the informant, Upendra Yadav and Kamlesh Yadav, put the informant on She-buffalo.

It is submitted by the learned counsel for the petitioners that specific accusation is against Shyamdeo Yadav, Upendra Yadav and Kamlesh Yadav. The accusation has been levelled without any basis. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the nature of accusation, it is a case for consideration of prayer for regular bail of the petitioner, let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Gurua P.S. Case No. 04 of 2016, pending in the court of learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya.

With the above observation this application is disposed of.



(Dinesh Kumar Singh, J)