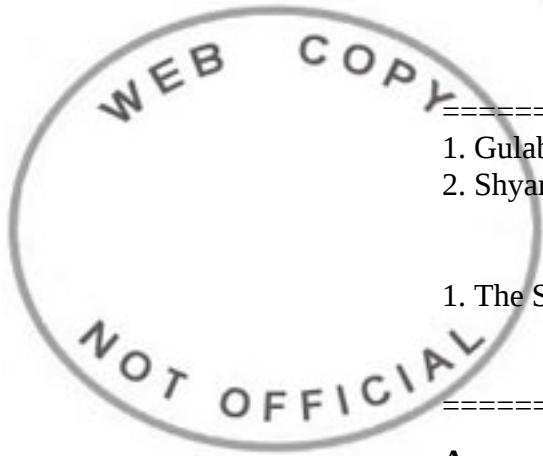




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18867 of 2016

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

- =====
1. Gulabi Debi wife of Bigan Yadav
 2. Shyamdeo Yadav son of Chandrabhan Yadav

.... 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. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147, 149, 341, 323, 324, 326, 504, 506 of the Indian Penal Code, the Prevention of Witch (Daain) Practices Act, 1999 and section 3(1) (iii)(x)(xv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

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 of which he died. On 14.01.2016, Upendra Yadav, Panchu Prajapat Channarik Bhuiya forcibly took the informant and all the accused persons called a Panchayati where three punishments were awarded against the informant as; firstly, shave hair of the informant and move in the village after getting him seated on a she-buffalo, secondly; his own son to beat him five times with 'danda' and lastly, to pay Rs.10,000/- to Upendra Yadav. On such order of Panchayat petitioner no.2 Shyamdeo Yadav shaved the hair of the informant and petitioner no.2 smeared black ash and vermilion on the face of the informant when Upendra Yadav and Kamlesh Ydav got the informant seated on she-buffalo.

It is submitted by learned counsel for the petitioners that specific accusation is against petitioner no.1 Shyamdeo Yadav, co-accused Upendra Yadav and Kamlesh Yadav. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Gurua P.S. Case

No.4/2016, pending before the learned SDJM, Sherghati, Gaya.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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