

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22934 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -HISUA District- NAWADA

- =====
1. Vijay Singh Son of Late Dukhan Singh
 2. Suma Devi Wife of Shankar Singh
 3. Soni Kumari Daughter of Shankar Singh
 4. Lilo Devi @ Nilu Devi @ Lilu Wife of Vijay Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 25-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 337, 504, 34 of the Indian Penal Code, 3/4 the Prevention of Witch (Daain) Practices Act and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case is that on 20.02.2016 in the night the informant, Babuchand Chaudhary, was with his family in his house when petitioner no.1, Vijay Singh, and his family members



started abusing the informant by calling caste name as they were under impression that the informant's wife practiced witch craft due to which the two sons of the accused died. It is also alleged that accused persons pelted stones on the informant, as a result the informant, received head injury. When Suma Devi, Lilu Devi and Sony Kumari came to rescue then they also received injuries due to the stones pelted by the accused persons.

It is submitted by learned counsel for the petitioners that there is counter version of the occurrence and for a petty dispute the accusation has been levelled. None has received any injuries and the informant has retracted from initial version and has filed a petition to that effect before the learned court below, the same has been brought on record as annexure-2 to the petition. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 CJM, Nawada, in connection with

Hisua P.S. Case No.40/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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