

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24443 of 2016

Arising Out of PS.Case No. -415 Year- 2013 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Nagina Devi wife of Ravindra Sah, residents of Village- Madhubani
Ghat, P.S.- Muffasil, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 14-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Muffasil P.S. Case No. 415 of 2013, disclosing offences under Sections 341,323,324,307,379/34 of the Indian Penal Code and Section 34 of the Witchcraft Practices Prohibition Act, 1999.

The petitioner is a lady. It is alleged that the accused persons called the informant "Dian" (witch) misbehaved with her and assaulted her. It is the plea of the petitioner that prior to lodging of the present case by the Informant, the petitioner had lodged Motihari Town P. S. Case No. 372 of 2013 accusing the informant of having committed theft. In retaliation, the present First Information Report has been filed. From perusal of the First Information

Report, it appears that no offence under Section 307 of the Indian Penal Code is, prima facie, made out.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioner above-named in the event of her arrest/surrender within four weeks from today in the court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in Muffasil P. S. Case No. 415 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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