

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30044 of 2016

Arising Out of PS.Case No. -363 Year- 2013 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Pavit Kumar
 2. Amrit Kumar Sah
 3. Nirmal Sah All sons of Surendra Sah
 4. Gopal Sharma son of Late Rudal Sharma
 5. Tunnu Devi wife of Nirmal Sah
 6. Gita Devi wife of Pawan Sah
 7. Surendra Sah son of Late Haleshwar Sah All resident of Village-
Gangapur Tola- Paura, P.S.- Alamnagar (Ratwara) District- Madhepura.

.... Petitioners

Versus

1. The State of Bihar.
2. Kalo Devi wife of Mantu Lal Sharma Both resident of Village-
Gangapur, Tola, P.S.- Alamnagar Ratwara, District- Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Ranjeet Kumar Singh, Advocate.
For the Opposite Parties : Mr. S.M. Rahman, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-09-2016 Heard both sides.

The petitioners apprehend their arrest in Complaint
Case No. 363 of 2013 registered for the offences punishable under
Sections 323, 379 and some other Sections of the Indian Penal
Code and under Section 4 of the Prevention of Witchcraft Practice
Act.

The complainant alleged that while she was filling her
Darwaja with soil all the petitioners having armed with Lathi and
Danda came and started taking soil from her Darwaja. On protest,

the petitioners assaulted the informant and Nirmal Sah, petitioner no. 3 is said to have taken necklace from the daughter of the informant. Petitioner no. 1 Pavit Kumar is alleged to have taken Rs. 1000/- from the possession of the complainant.

It is submitted that the petitioners are next door neighbour of the complainant and on account of land dispute this case has been lodged. No offence under Section 4 of the Prevention of Witchcraft Practice Act is made out.

Considering the facts aforesaid and nature of allegations made against the petitioners and the fact that on account of land dispute the occurrence took place, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Uda Kishunganj, Madhepura in Complaint Case No. 363 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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