

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1139 of 2016

Arising Out of PS.Case No. -871 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ravindra Prasad son of Late Ram Sundar Prasad
 2. Raju Kumar son of Ravindra Prasad
 3. Lukesh Prasad @ Mukesh Singh son of Ram Chandra Prasad
 4. Shankar Prasad son of Anup Prasad
- All residents of village Mehshi, Police Station - Mehshi, District - East Champaran.

.... Petitioners

Versus

1. The State of Bihar.
2. Sudish Prasad son of Shiv Shankar Prasad, resident of Bairiyadih, Police Station Harsidhi, District - East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Anil Kumar, Advocate
For the State : Mr. L.K.Sharma (App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 12-01-2016 Heard learned counsel for the petitioners and the State.

Petitioners apprehends their arrest in a case filed under Sections 392 and 34 of the Indian Penal Code and Section 25 of the Arms Act.

It is contended that mother of the petitioner no.1 had lodged Harsidhi P.S. Case No.153 of 2015 on 05.05.2015 under Sections 341, 323, 324, 504, 380 and 34 of the Indian Penal Code and Section ¾ of the Witch Craft Act (Dyne) as she was ill treated and human excreta was tried to be induced her mouth and

in retaliation the complaint case has been filed impleading petitioner no.1, his son and guests as the accused. It is stated that, in the complaint petition, the date of occurrence has been said to be on 05.05.2015 but the case has been lodged on 11.05.2015 which goes to show that it is an afterthought.

Having regards to the facts and circumstances, in the event of arrest/surrender within a period of six weeks from today in Complaint Case No.871 of 2015 (Tr. No.517 of 2015), the above named petitioners, Ravindra Prasad, Raju Kumar, Lukesh Prasad @ Mukesh Singh and Shankar Prasad shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sri Manish Kumar Sahi, Judicial Magistrate, 1st Class, Motihari, East Champaran subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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