

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14171 of 2016

Arising Out of PS.Case No. -757 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

Binod Sah, son of Chirkut Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-03-2016

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 448, 380, 506, 504 of the Indian Penal Code and sections 3/4 of the Prevention of Witch (Daain) Practices Act, 1999.

It is alleged that the accused persons came variously armed on the house of the informant and abused as they alleged that the wife of the informant is practicing witch craft when the petitioner fired on the chest of the informant but it was not effected due to the mis-fire. It is alleged that co-accused Surendra Sah inflicted 'garasa' blow on the head of the informant when wife of the informant came to rescue then

accused persons also assaulted her. The accused persons took away jewellery worth Rs.60,000/- and cash Rs.20,000/-.

It is submitted by learned counsel for the petitioner that admittedly no injury was caused by the petitioner and in the background of land dispute, the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Turkauliya P.S. Case No.757/2014, pending before the learned CJM, East Champaran at Motihari.

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

(Dinesh Kumar Singh, J)

Ashwini/-

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