

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18758 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhaneshwar Prasad Son of Late Mohan Bhagat resident of village -
Gobindapur, P.S. Kalyanpur, 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. S.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,325,307 and 379/34 of the Indian Penal Code and sections 3 and 4 of The Prevention of Witch (daain) Practices Act, 1999.

The prosecution case is that on 25.11.2015 at 6 P.M. the informant was cooking in his house when the petitioner being her neighbour and other accused persons armed with garasa came and addressed her as witch. They entered into the house, administered night soil to her,

assaulted and dragged her out of the house and snatched jewellery when the husband of the informant came to rescue then it is alleged that the petitioner gave garasa blow on the neck of the informant's husband.

It is submitted by the learned counsel for the petitioner that for petty dispute the accusation has been levelled and the informant has not received any substantial injury. Her injury report is not on record though statement to that effect has not been made in the petition. Husband of the informant has received one lacerated injury of marginal size though opinion with regard to the same has been kept reserved. It is further submitted that though the accusation against the petitioner is of causing injury to the informant's husband with sharp cutting weapon but the injury report suggests that the injury has been caused by hard and blunt substance. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of

the like amount each to the satisfaction of learned 9th ACJM,
Motihari, East Champaran in connection with Kalyanpur
P.S. Case No.343 of 2015 subject to the conditions as laid
down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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