

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9157 of 2016

Arising Out of PS.Case No. -392 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Harinarayan Sharma
 2. Subhanarayan Pandey both S/o Chandriak Pandey
 3. Anand Pandey
 4. Bajarangh Pandey
 5. Raju Pandey @ Amar Kumar Sharma all s/o Harinarayan Pandey,
 6. Sandhaya Devi W/o Anand Pandey, All r/o village Satapira, Bhumihari Tola, P.S.- Ramgharhwa, Dist.- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Hans Rawati Devi W/o Yogendra Pandey, R/o vill.- Satapira Bhumihari Tola, P.S.- Ramgharhwa, Dist.- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2016 Heard learned counsels for the petitioners and

the State.

The petitioners are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323 of the Indian Penal Code and sections 3 and 4 of The Prevention of Witch (daain) Practices Act, 1999.

The prosecution case is that the accused persons

being neighbour and agnate of the complainant entered into her house and abused by calling her witch, made assault to her and petitioner no. 1 Harinarayan Sharma and petitioner no. 3 Anand Pandey administered night soil to her.

It is submitted by the learned counsel for the petitioners that the petitioners are agnate of the informant and the case has been lodged maliciously in the background of land dispute. It is further submitted that for the occurrence of 11.9.2013 at 6.30 A.M. the complaint was filed on 13.9.2013 when there is counter version of the occurrence also. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent

Considering the delayed lodging of the case and the counter version of the occurrence filed on the same day, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned SDJM, Raxaul, East Champaran



in connection with Complaint Case No. 392 of 2013
subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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