

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20500 of 2016

Arising Out of PS.Case No. -248 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Leelavati Devi @ Kalavati Devi @ Lilatiw Devi W/O Vashith Mishra
2. Veena Devi W/O Arvind Mishra Both Resident of Village- Mishrauli,
P.S.- Chanpatia, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Dr. Indiwari Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 12-05-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,341,323,307,379 and 149 of the Indian Penal Code and sections 3 and 4 of The Prevention of Witch (daain) Practices Act, 1999.

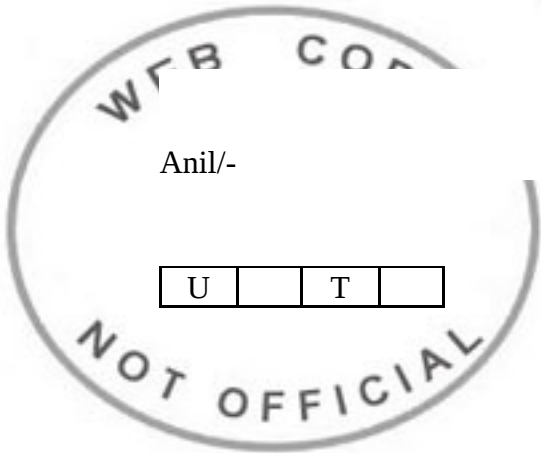
The prosecution case is that on 13.10.2015 at 9 PM the informant was sitting on verandah when the accused persons came and started abusing the informant by calling her witch. On protest being made, co accused Bashishth Mahto assaulted with garasa causing injury to the informant.

Co accused Arvind Mishra forcibly administered night soil in the mouth of the informant and thereafter all other accused persons assaulted the informant. It is also alleged that the petitioners snatched gold chain and gold nose pin of the informant.

It is submitted by the learned counsel for the petitioners that the accusation of assault is not specific against the petitioners. The case lodged by the petitioner is at earlier point of time. It is further submitted that on conclusion of investigation the petitioners were not sent up for trial but differing with the final form, cognizance has been taken.

Considering the fact that the accusation is not specific against the petitioners, they being ladies and they were not sent up for trial on conclusion of investigation, 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 ACJM-V, Bettiah, West Champaran in connection with Chanpatia P.S. Case No.248 of 2015 subject to the

conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)