

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13129 of 2016

Arising Out of PS.Case No. -115 Year- 2015 Thana -PARSAUNI District- SITAMARHI

1. Mahendra Chaudhary, Son of Late Bhuneshwar Chaudhary
2. Hari Kishore Chaudhary Son of Mahendra Chaudhary Both resident of
village - Parsauni Khirodhar, P.S. Parsauni, District - Sitamarhi

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vaidehi Raman Prasad Singh, Advocate.

For the Opposite Party : Mr. Abhay Kumar No. 1 (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-06-2016 Heard both sides.

The petitioners apprehend their arrest in Parsauni P.S.
Case No. 115 of 2015 registered for the offences punishable under
Sections 341, 323, 504, 324, 354 and 34 of the Indian Penal Code
and under Sections 4 and 6 of the Witch Craft Act.

The informant named the petitioners along with other
accused persons and alleged that all the accused persons caught
her Hari Kishore Choudhary petitioner no. 2 put excreta in her
mouth and Mahendra Choudhary petitioner no. 1 brought the
excreta.

It is submitted that the case is of petty nature. Both the
sides have compromised the case and other accused persons have
already been enlarged on anticipatory bail by the learned Sessions

Judge.

Considering the facts aforesaid and the fact that both the petitioners brought excreta and put the same in the mouth of the victim, I am not inclined to enlarge the petitioners above named on anticipatory bail in Parsauni P.S. Case No. 115 of 2015. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, their prayer for bail shall be considered on its own merit without being prejudiced by this order and taking into consideration that other accused persons have already been enlarged on anticipatory bail and the case is compromised and dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

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