

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41179 of 2016

Arising Out of PS.Case No. -134 Year- 2016 Thana -MAJHAULIA District- WEST CHAMPARAN
(BETTIAH)

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1. Ramdhani Yadav son of Jalim Yadav
2. Lal Bachhan Yadav son of Jalim Yadav
3. Ranjan Yadav son of Ramdhani Yadav
4. Sukat Yadav son of Jalim Yadav
All are residents of Village - Amwaman Bazar, Police Station - Majghaulia,
District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Advocate.
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-10-2016 Heard both sides.

The petitioners, namely, Ramdhani Yadav, Lal Bachhan Yadav, Ranjan Yadav and Sukat Yadav apprehend their arrest in Majghaulia P.S. Case No. 134 of 2016 registered under Section 325 and other sections of the Indian Penal Code and Sections 3 / 4 of the Prevention of Witch (Daain) Practice Act.

The informant alleged that while she was sitting on her Darwaza, all the four petitioners, namely, Ramdhani Yadav, Lal Bachhan Yadav, Ranjan Yadav and Sukat Yadav having armed with different weapons came and assaulted the informant making allegation of witch. The accused persons are also alleged to have taken away different articles from the house of the

informant.

Learned counsel for the petitioners submits that the occurrence took place on 18.05.2016 but the F.I.R. was lodged on 29.05.2016. The informant herself disclosed in the F.I.R. that she had gone to the police station on 18.05.2016 but the police officials were engaged in the election duty, that is why, the case was not registered. It is further submitted that the informant and her sons got simple injuries except one injury found on the finger of the informant which is described to be grievous. It is also submitted that the petitioners are next door neighbours of the informant and some altercation / scuffle took place due to flow of drainage water.

Considering the facts that omnibus and general allegation of assault is made against the petitioners and the case was lodged after 11 days of the occurrence, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in Majhaulia P.S. Case No. 134/2016, subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)