

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41500 of 2016**

Arising Out of PS.Case No. -121 Year- 2016 Thana -MANIHARI District- KATIHAR

- =====
1. Ghanshyam Singh Son of Bishwanath Singh resident of village - Baghmara, P.S. Manihari, District - Katihar
  2. Manorma @ Manu Wife of Ghanshyam Singh
  3. Rekha Devi Wife of Dinanath Mandal
  4. Ganesh Mandal Son of Late Munshi Mandal
  5. Dayamanti Wife of Ganesh Mandal
  6. Akhilesh @ Lalen Son of Ganesh Mandal Sl. No. 2 to 6 are resident of village - Tirbitta, P.S. Manihari, District - Katihar

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar  
For the Opposite Party/s : Mr. Smt Renu Kumari

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

2      23-09-2016      The petitioners being brother-in-law, married sisters, parents and brother of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 506, 379, 354(B) of the Indian Penal Code and Section 4 of the Prevention of Witch Practices Act.

The prosecution case as per the written report of the informant Bhawani Kumari is that on 10.08.2015 at 8:00 P.M, her brother-in-law and her sisters Manorma Devi and Rekha Devi came along with occultist Harihar Pandit and assaulted her with fists and slaps addressing the informant as a witch. Subsequently the father of the informant Ganesh Mandal came and assaulted the informant. It is also alleged

that other accused persons also assaulted the informant. Subsequently on 07.06.2016 all the accused persons again assaulted the informant leading to registration of the First Information Report on 13.06.2016.

It is submitted by learned counsel for the petitioners that the informant has implicated the entire family members after being employed as panchayat teacher. The informant was examined by the doctor on 09.06.2016 but it does not suggest any injury to the informant.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the nature of accusation levelled by the informant against the entire family members, delayed lodging of the F.I.R and the accusation not being corroborated with the medical opinion, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 121 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

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