

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12621 of 2017

Arising Out of PS.Case No. -117 Year- 2015 Thana -SAHKUND District- BHAGALPUR

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1. Pramod Mandal, S/o Late Chandeshwar Mandal
 2. Sunil Mandal alias Sunil Kumar Mandal S/o Late Chandeshwar Mandal.
 3. Munni Devi, W/o Sunil Mandal alias Sunil Kumar Mandal
 4. Chulhai Mandal, S/o Doman Mandal.

All resident of village – Pairdomania, Mal Milki, P.S.-Sahkund,
District-Bhagalpur.

.... Petitioner/s

Versus

1. State of Bihar.
2. Maina Devi, W/o Siyaram Mandal, R/o Village-Pairdomania, Mal Milk,
P.S.-Sahkund, District-Bhagalpur.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate.
Mr. Shyam Kumar, Advocate.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-03-2017 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners are apprehending their arrest in connection with Sahkund P.S. Case No. 117 of 2015 registered for the offences punishable under Sections 147, 148, 149, 323, 354A, 324, 354B, 3047 and 379 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 and 4 of the Prevention of Witch Practice Act.

It has been submitted on behalf of the petitioners that allegation against the petitioner nos. 1, 2 and 3 is that they have uprooted the gram crops from the field of the informant.



Further allegation against the petitioner nos. 1 and 2 is that they have denoted the informant as witch and they have untied her cloths and the allegation against the petitioner no. 4 is that he has taken away the gram crops of the informant. However, earlier to this case, the husband of the informant or the informant had lodged four cases against the petitioners. Now, she has filed this case also making another allegation. The present case has been registered on the basis of the complaint case filed by the informant. As a matter of fact, the petitioners side has earlier lodged a case against the informant and others and due to that, the present case has been lodged.

Heard the learned APP also.

Having heard both sides, considering the facts and circumstances of the case as stated above, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhagalpur in connection with Sahkund P.S. Case No. 117 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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