

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51085 of 2016

Arising Out of PS.Case No. -333 Year- 2016 Thana -MOTIHARI MUFASIL District- EAST
CHAMPARAN (MOTIHARI)

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1. Surendra Raut

2. Devendra Raut

Both sons of Yodha Raut

3. Dinanath Raut, s/o late Ratan Raut

All are resident of village- Laxmipur, Kuchchari Tola, P.S.- Lakhaura,
Distt.- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pramod Kumar Pandey, Advocate.

For the Opposite Party : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek anticipatory bail in a case
instituted for the offence under Sections 341, 323, 504, 354, 379,
506 of the Indian Penal Code and Section 3/4 of the Prevention of
Witch Practices Act.

It is alleged in the written report that on the date of
occurrence co-accused Pramod Rai along with Aklu Ram and



three unknown persons abused the informant and accused Aklu Rai abused the informant calling her Daain and co-accused Pramod Rai started putting night-soil in her mouth. When the informant made protest, accused Aklu Rai pushed her down on the ground and untied her cloth as a result she became naked. Thereafter, accused persons caused hurt to the informant by lathi and danda.

It has been submitted that the police after investigation did not find the case true under Section 3/4 of the Witch Crafts Act. The police have submitted charge sheet for the offence under Sections 341, 323, 524, 354 and 506 of the Indian Penal Code. As per the written report itself, no allegation of any overt act is alleged against the petitioner. The allegation is against co-accused Aklu Rai. Aklu Rai pushed the informant down on the ground on account of which she became naked.

Considering the facts and circumstances of the case, let the petitioners in the event of surrender, named above, within six weeks from the date of receipt of this order, in connection with Muffasil (Lakhaura) P.S. Case No. 333 of 2016, shall 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, Motihari, subject



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

S.Ali/-

(Sanjay Priya, J)

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