

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54901 of 2017

Arising Out of PS.Case No. -333 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Niku Tanti,
2. Siku Tanti, Both are sons of Kapileshwar Tanti, Both are resident of
Village- Barahi, P.S.- Saur Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 21-11-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Sour Bazar P.S. Case No. 333 of 2017, registered under
Sections 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the
Indian Penal Code and Section 3/4 of the Witch Craft Act.

The accusation is that, in the evening of 15.07.2017,
Bhupendra Kumar, brother of the informant, was returning to his
house. In the way, eight persons named in the FIR including the
petitioners started to cause assault to his brother. On raising alarm,
the informant rushed to save him then Tilo Tanti gave order to kill
him then Niku Tanti (petitioner no. 1) gave Farsa blow at the head



the informant. Thereafter, Ghutan Tanti, came there then he was also assaulted by Bahadur Tanti and Sanjivan Tanti through lathi, on which, his cousin brother, Umesh Das rushed to save his father then Siku Tanti (petitioner no. 2) gave Khanti blow at the eye of Umesh Das. When wife of informant came there then Baleshwar Tanti assaulted her and Nitish Tanti unfold her cloths denoting her as witch.

Learned counsel for the petitioners submits that while the allegation has been made against petitioner nos. 1 and 2 to cause injury to the informant and his father, but their injuries are simple in nature. It is further submitted that due to dirty village politics, occurrence took place, in which, petitioners' side also sustained injury, regarding which, Sour Bazar P.S. Case No. 332 of 2017 is instituted on the basis of the written report of Chaya Devi, wife of co-accused, Kaku Tanti.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case No. 333 of



2017, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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