

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54506 of 2017

Arising Out of PS.Case No. -260 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Pramila Devi, wife of Babu Saheb Rai @ Babu Sahab Rai.
 2. Babu Saheb Rai @ Babu Sahab Rai,
 3. Chandrika Rai
 4. Tribhuwan Rai, Petitioner No. 2 to 4 sons of Late Shyam Sundar Rai.
 5. Sushil Rai son of Chandrika Rai,
 6. Chandra Kishore Rai son of Babu Saheb Rai @ Babu Sahab Rai All residents of Village- Kukurajari, P.S.- Banjariya, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-11-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Turkauliya (Banjariya) P.S. Case no. 260 of 2017, registered under Sections 147, 148, 149, 341, 323, 324, 307, 504, 354 and 379 of the Indian Penal Code and Section 3/4 of the Prevention of Witch (Daain) Practices Act.

The accusation is that on 11.05.2017 the informant was present at her door at that time, all the petitioners armed with weapon came at her door and started abusing her denoting her “Daain” and caught her hair. Thereafter, petitioner No.2 Babu Saheb Rai caused



injury at her head through Farsa. On the order of petitioner No.3 Chandrika Rai, petitioner No.4 Tribhuwan Rai unfold her clothes and laid her on the ground. At that time, Sushil Rai supplied urine on her body and Petitioner Nos. 1 and 6 forcibly administered human stool and also snatched her silver ornaments to her neck.

Learned counsel for the petitioners submits that, in fact, son of petitioner No.3 Chandrika Rai was kidnapped regarding which Turkauliya P.S. Case No. 225 of 2017 was instituted under Sections 363, 365 and 364/34 of the I.P.C. against informant and her other family members due to that reasons only to put undue pressure the informant has lodged the present case.

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 four 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, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 260 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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