

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61734 of 2017

Arising Out of PS. Case No.-917 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Munilal Singh, Son of Late Khelawan Singh.
 2. Ravi Ranjan Singh, Son of Munilal Singh.
 3. Shashi Bhushan Singh @ Shashi Bhushan Kumar, Son of Munilal Singh,
- All are resident of Village- Jaisinghpur Tola Bahurupiya, Police Station- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bimla Devi, Wife of Bali Singh, Resident of Village- Jaisinghpur Tola Bahurupiya, Police Station- Turkauliya, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2017 Heard learned Counsels for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 347, 323, 379 and 504/34 of the Indian Penal Code and Section 4 of the Prevention of Witch (Daain) Practices Act, 1999.

Prosecution case is that on 10.05.2016 at 8 PM while the complainant, Vimla Devi was cooking, in the meantime, the petitioners entered into the house of the complainant abused her



and addressed her as witch, alleging against her to have played witch craft upon his sister-in-law(bhabhi). It is alleged that petitioner no.3, Shashi Bhushan Singh caught hold of her hair and pushed her on the ground, while all the accused persons assaulted with fists and slaps. On the order of petitioner no.1, Munilal Singh, petitioner no.2, Ravi Ranjan Singh, dragged the complainant towards the door, while being dragged, the complainant was rendered semi-naked and thereafter the accused persons assaulted the complainant. On alarm being raised, the complainant's son, husband and brother-in-law came to her rescue, upon which the accused persons assaulted them also. It is further alleged that petitioner no.3, Shashi Bhushan Singh and petitioner no.1, both committed theft of mobile of complainant's son Nikesh Kumar worth Rs.3500/- and gold chain of the complainant worth Rs.60000/-, respectively.

It is submitted by learned counsel for the petitioners that the petitioners are agnates of the complainant and in the background of land dispute, the accusation has been levelled. From the accusation levelled in the complaint it does not appear that any injury was caused to either the complainant or her family members. Petitioner no.2, Ravi Ranjan Singh, has also filed complaint against the petitioner being Trial No.461 of



2017. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Considering the nature of accusation in the background of land dispute and for the occurrence of 10.05.2016, the complaint was filed 18.05.2016, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned ACJM-VIII, East Champaran at Motihari, in connection with Trial No.2761 of 2017, arising out of Complaint Case No. C-917 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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