

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15235 of 2017

Arising Out of PS.Case No. -217 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Mala Devi @ Smt. Mala Devi , wife of Dashrath Yadav,
 2. Heera Yadav @ Heeta Yadav, son of late Rajman Yadav
 3. DAshrath Yadav, son of Heera Yadav
- All are resident of village- Baldeeha, P.S- Yogapatti (Nawalpur),
District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 12-04-2017 Heard learned counsels for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Yogapatti (Nawalpur) P. S. Case No. 217 of 2015 instituted
under Sections 341, 323, 354B and 504/34 of the Indian Penal
Code and Sections 3 and 4 of the Prevention of Witch (Daain)
Practices Act, 1999.

The allegation, in brief, is that due to suspicion that
the informant does practice witch craft, they administered
human waste in her mouth and assaulted her.

Learned counsel for the petitioners submits that the
petitioners are neighbour of the informant and due to petty



neighbourhood dispute, this false allegation has been levelled against them and the petitioners are all family members and even the learned Additional District and Sessions Judge,-1st, Bettiah, in the impugned order perusing the case diary, has observed that there is no specific allegation of outraging modesty and allegation of witch craft and no injury was found on the person of the informant and petitioners have clean antecedent.

Having considered the aforesaid facts and circumstances, let the petitioners, namely, **Mala Devi @ Smt. Mala Devi, Heera Yadav @ Heeta Yadav and Dashrath Yadav**, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Washim Akram Khan, Judicial Magistrate-1st Class, Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S.Case No. 217 of 2015; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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