

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38169 of 2018

Arising Out of PS. Case No.-456 Year-2018 Thana- SASARAM NAGAR District- Rohtas

1. Jangali Ram, Son of Late Madhuki Ram,
2. Shanti Devi, Son of Jangali Ram, Both residents of Village-
Baulia, P.S.- Sasaram (Town), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mrs. Renuka Ratnakar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

Petitioners are languishing in judicial custody since 21.03.2018 in connection with Sasaram (Town) P.S. Case No. 456 of 2018 registered for the offence punishable under Sections 147, 148, 149, 323, 325, 307, 341, 504, 506 of the Indian Penal Code and 3/4 of Witch craft Prohibition Act. Later on Section 302 of Indian Penal Code has been added.

The prosecution case, as lodged by the informant, Shila Devi is that there was a panchayati held in her house in which 26 persons participated which related to witchcraft and its consequences. Thereafter, after one hour, all the accused persons variously armed with lathi and danda came and



assaulted six family members of the informant on which they sustained serious injuries and one of them, Suresh Ram died during the course of treatment.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and have been falsely implicated in the aforesaid case. He submits that allegations are general and omnibus and it is not specific as to who caused injury to the deceased and other injured persons. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Town) P.S. Case No. 456 of 2018, subject to the conditions that:

- (1) One of the bailors would be close relative of the petitioners having



sufficient immovable properties, who will file an affidavit stating his relationship with the petitioners.

(2) The petitioners will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J.)

Arjun/Ragini

U		T	
---	--	---	--

