

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62881 of 2017

Arising Out of PS.Case No. -151 Year- 2017 Thana -GOPALPUR District- WESTCHAMPARAN (BETTIAH)

- =====
1. Dharmendra Ram, S/o Ram Avtar Ram,
 2. Ram Avtar Ram S/o Mahangu Ram, Both R/o Village- Bakulahar, P.S.- Gopalpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-03-2018

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302, 448, 325, 307/34 of the Indian Penal Code and Section 3/4 of the Prevention of Witch (daain) Practices Act, 2001.

Petitioner no. 1 Dharmendra Ram is son of petitioner no. 2 Ram Avtar Ram. According to FIR, they were suspecting that mother of the informant is a witch. Hence, Dharmendra Ram armed with a wood and Ram Avtar Ram armed with a *Dab* (a sharp cutting weapon) entered into the house of the informant. When the informant woke up on alarm of mother, they saw that she was injured and the petitioners were fleeing from there.

Submission of the learned counsel for the



petitioners is that there is no witness of actual occurrence. Only suspicion is there. The petitioners are in custody since 19.10.2017.

The post-mortem report would reveal that the Doctor has found head injury caused by a hard blunt substance which was cause of death.

Learned counsel for the informant opposed the prayer for bail.

Considering the entire facts and nature of allegation, I am not inclined to enlarge the petitioners on bail for the present in connection with Gopalpur Police Station Case No. 151 of 2017 pending in the court of learned Chief Judicial Magistrate, Bettiah, West Champaran.

Hence, prayer for bail is refused.

However, the petitioners are at liberty to renew the prayer for bail if the trial is not concluded within a period of nine months from the date of receipt/production of a copy of this order.

The learned trial Judge is directed to expedite the trial and conclude the same within the aforesaid period.

(Birendra Kumar, J)

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