

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30397 of 2018

Arising Out of PS.Case No. -59 Year- 2017 Thana -KOTHIGRAM District- GAYA

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1. Kumari Ritu Sinha @ Kumari Rita Sinha, Wife of Anil Prasad @ Bhikhari Prasad
 2. Shakuntala Devi Wife of Satyendra Prasad
 3. Rubi Devi, Wife of Anirudh Prasad
 4. Zirwa Devi, Wife of Mahavir Mahto
 5. Mahabir Mahto, son of Late Ramcharan Mahto
 6. Anil Prasad @ Bhikhari Prasad, son of Mahabir Prasad
 7. Shyam Gobind Prasad, Son of Late Sita Ram Mahto
- All are residents of Village - Dewaria, P.S. - Kothi, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate.
For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-05-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kothi P.S.**

Case No. 59 of 2017, corresponding to G.R. No. 2379 of 2017

instituted for the offence under Sections 147, 148, 149, 341, 342, 452, 323, 324, 325, 326, 307, 337, 354(B), 353, 332, 333, 427, 504, 506 of the Indian Penal Code and Section 3/4 of Witch Craft Act.

It is alleged in the written report that petitioners along with villagers as named in the written report attacked at the house



of Devanti Devi and demolished her house on the plea that she was indulging in Witch Craft Act. When the Police tried to prevent them, then the mob assaulted Devanti Devi and also started throwing brick bats over the Police party. The Police Party managed to save Devanti Devi any how.

It has been submitted that there is general and omnibus allegation against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Kothi P.S. Case No. 59 of 2017 corresponding to G.R. No. 2379 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Gaya**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and



(3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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