

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20777 of 2018

Arising Out of PS.Case No. -295 Year- 2017 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Madan Sahani S/o Daroga Sahani, R/o Village- Tajwa Koirgawa, P.S.-
Pipra , District- East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 16-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323, 324, 326A, 341, 354B, 379, 447, 504, 506 of the Indian Penal Code and Sections 3/4 of Prevention of Witch (daain) Practices Act.

The prosecution case as per the written report of Kanti Devi dated 22.11.2017 submitted to Station House Officer, Motihari (East) Town P.S. is to the effect that six accused persons including the petitioner came at the door of the informant. Co-accused Radhika Devi abused the informant



alleging that she has practiced witch craft upon her child, as a result of which her child fell ill, hence, she asked her to do something for curing the child. In the meantime, Jagarnath Ram caught hold of the hair of the informant, pulled her down and asked other accused persons to administer night soil to the informant, when co-accused Rakesh Ram pulled the sari of the informant and others assaulted her. In the meantime, Radhika Devi brought night soil and tried to administer to the informant but on arrival of neighbouring people at the place of occurrence accused threw the container of night soil on body of informant and escaped from the scene. It is alleged that co-accused Jagarnath Ram brought acid and threw it on the informant causing acid burn injury. Mohan Ram snatched gold chain and Rs.660/- from the informant.

It is submitted by learned counsel for the petitioner that the specific accusation is not alleged against the petitioner. He was only member of the mob. The accusation of snatching has been levelled against one Mohan Ram however, petitioner's name is Madan Sahani. Though the petitioner is accused in Pipra P.S. Case No. 215 of 2017 registered under Section 307 of the Indian Penal Code at the behest of the informant side in which he is on bail.



Learned APP, however, submits that the petitioner is also named in the FIR.

Considering the thrust of accusation against Radhika Devi, Jagarnath Ram and Rakesh Ram, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S. Case No. 295 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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