

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34288 of 2018

Arising Out of PS.Case No. -190 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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1. Kantlal Yadav, S/o Kripal Yadav,
2. Rajeshwar Yadav @ Bablu Yadav @ Dubba, S/o Lat Yamuni Yadav.
3. Kripal Yadav, S/o Late Yamuni Yadav.
4. Rambali Yadav @ Ranmbali S/o Rajeshwar Yadav.
5. Angad Yadav @ Anshad Yadav, S/o Kripal Yadav, residents of Village-
Kajidumra, Ward No. 6, P.S.- Rosera, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 29-06-2018

Heard both sides.

The petitioners apprehend their arrest in Rosera P.S. case No. 190 of 2017 under Section 341, 323, 447, 325, 504,34 of the Indian Penal Code and under Section 34 of Prevention of Witch (Practices) Act.

The informant alleged that many persons came to her house and began to abuse her by calling her witch. The accused persons also assaulted her son, who got fracture injury on his hand.

The learned counsel for the petitioners submits that petitioners are, of course, named in the FIR but no specific



allegation of assault or even abuse is made against the petitioners. Many villagers had come. The informant has lodged the case making false allegation on account of some family dispute. The son of informant got one swelling on his left hand but no X-ray was done and the doctor opined the injury to be simple in nature.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera, Samastipur in connection with Rosera P.S. case No. 190 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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