

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4986 of 2018

Arising Out of PS.Case No. -256 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. Sita Devi, W/o Tarkeshwar Ray,
2. Tarkeshwar Rai @ Tarkeshar Ray, S/o Late Radhay Shyam Ray,
3. Amit Kumar Rai @ Amit Kumar Ray, S/o Tarkeshwar Ray, All R/o
Village- Sarai, Mohanpur, P.S.- Patori (Mohanpur O.P.), District-
Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dayashankar Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-02-2018 Heard both sides.

The petitioners apprehend their arrest in Patori (Mohanpur O.P.) P.S. Case No. 256 of 2017, G.R. No. 1931 of 2017 registered under Sections 323,341,379,504,34 of the Indian Penal Code and Sections 4 and 5 of the Prevention of Witch (Daain) Practices Act, 2001.

The informant alleged that the petitioners made allegation against his wife that she practiced witch craft on his daughter and for that some altercation took place and when the informant protested the accused persons including the petitioners assaulted the informant and his wife.

The learned counsel for the petitioners submits that the



informant and Tarkeshwar Rai (petitioner no. 2) are own brother and there is land dispute between the parties and on account of some petty disputes this case has been lodged making false and frivolous allegations against the petitioners.

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 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, in connection with Patori (Mohanpur O.P.) P.S. Case No. 256 of 2017, G.R. No. 1931 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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