

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11110 of 2018**

Arising Out of PS. Case No.-954 Year-2016 Thana- BHAGALPUR COMPLAINT CASE  
District- Bhagalpur

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1. Prakash Dom @ Malik, S/o Late Naresh Dom,
  2. Rekha Devi @ Baby Devi W/o Prakash Dom @ Malik , Both R/o Mohalla- Central Jail Barari, Jhoparpatti, P.S.- Barari, District- Bhagalpur.
  3. Raju Dom @ Malik S/o Lattu Dom,
  4. Ravi Dom S/o late Ramdeo Dom, Both R/o Mohalla- Barari Railway Colony, P.S.- Barari, District- Bhagalpur.
  5. Manoj Dom S/o Late Changuri Dom, R/o Jamalpur, Bazar, P.S.- Jamalpur, District- Khagaria ... Petitioners

Versus

1. The State of Bihar.
  2. Shayamawati Devi W/o Basu Dom, R/o Mohalla- Central Jail Barar Jhoparpatti, P.S.- Barari, District- Bhagalpur ... Opposite Parties
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**Appearance :**

For the Petitioners : Mr. Praveen Kumar, Adv.  
For the Opposite Parties : Mr. Ataur Rahman, APP 191

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      07-03-2018                      The learned counsel for the petitioners submits that petitioners 1, 3 and 4 have been arrested, hence, the prayer for anticipatory bail on their behalf has come infructuous, which is dismissed as withdrawn.

This petition is now confined to petitioners 2 and 5.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Complaint Case No. 954 of 2016 instituted for the offence under Sections 323, 325 and 379 of the Indian Penal Code and



3 and 4 of the Witch Craft Act.

The learned counsel for the petitioners submits that there is no allegation of Witch Craft Act against petitioners 2 and 5 in the complaint petition. It has also been submitted that the occurrence took place on 13.10.2015 and the complaint petition filed on 08.06.2016, after long delay.

In the facts and circumstances of the case, the prayer for anticipatory bail on behalf of the petitioners 2 and 5, named above, is allowed. In the event of surrender/arrest of the petitioners within six weeks from today in connection with **Complaint Case No. 954 of 2016** 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 the **Additional Chief Judicial Magistrate, XI, Bhagalpur,** 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 bonds 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)**

Shamshad/-

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