

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11029 of 2018

Arising Out of PS.Case No. -201 Year- 2017 Thana -PAKARIBARAW District- NAWADA

- =====
1. Tulsi Yadav, son of Muneshwer Yadav.
 2. Pratima Devi, wife of Tulsi Yadav.

Both are resident of village-Dhorha, P.S. Dhamaul, District-Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-02-2018 As prayed for, learned counsel for the petitioners is permitted to make necessary correction in this application with regard to the father's name of the petitioner no.1 Tulsi Yadav in course of the day.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Pakari Barawan (Dhamauli) P.S. Case No.201 of 2017/G.R. No.3336 of 2017 registered under Sections 341, 323, 504 and 506/34 of the Indian Penal Code besides Sections 3/4 of the Witch Craft Practices Act.

The accusation is that on 03.11.2017, in the morning, at



about 07.00 A.M., the informant Urmila Devi was doing the domestic work. At that time, her son, the petitioner no.1 Tulsi Yadav, and her daughter-in-law, the petitioner no.2 Pratima Devi, (the wife of the petitioner no.1 Tulsi Yadav) came and started to abuse, saying her 'witch'. When the informant made protest, then they were adamant to cause assault to the informant. Thereafter, the informant moved from the house to save herself but in the way, the petitioner no.2 Pratima Devi, the daughter-in-law of the informant, caused injury on the back of the informant through 'Sabal'. When Lalan Yadav, the son of the informant, rushed to save the informant, the petitioner no.1 Tulsi Yadav chased him having 'Hasuli' in his hand to cause assault.

Learned counsel for the petitioners submits that the petitioners are son and daughter-in-law of the informant and due to family dispute, at the instance of Lalan Yadav, the brother of the petitioner no.1, the informant has lodged this false case. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of Sri Kumar Avinash, Judicial Magistrate, First Class,
Nawada, in connection with Pakaribarawan (Dhamaul) P.S. Case
No.201 of 2017/G.R. No.3326 of 2017, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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