

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25764 of 2018**

Arising Out of PS.Case No. -114 Year- 2017 Thana -GOH District- AURANGABAD

=====

Yunus Ansari, Son of Gani Ansari, Resident of Village- Mirpur (Neerpur),  
P.S.- Goh, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s Mr. Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

03/ 22.06.2018                      Heard learned counsel for the petitioner as well as  
learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with  
Goh P. S. case no. 114/2017 registered under sections 307,  
379 and other minor sections of the IPC as well as section 3/  
4 of Witch Craft Act.

Altogether, 17 persons including the petitioner are  
named in the first information report with accusation that  
they, having entered the house of the informant, assaulted  
her and took to her near grave-yard and compelled her to  
excavate dead body of a child. The above stated persons  
assaulted her leveling allegation of witch.

Submission on behalf of the petitioner is that



according to the prosecution case, alleged occurrence took place on 18.8.2017 at about 10 a.m. and the informant was saved by the police but it is surprising enough that the informant gave written report to S.P. Aurangabad on 24.8.2017. It is further pointed out that after institution of the case one co-accused was arrested and the police submitted charge sheet against him for the offences punishable under sections 147, 149, 341, 342, 323, 448, 504 and 506 of the Indian Penal Code and 3/ 4 of the Witch Craft Act. It is further pointed out by him that moreover, allegation of calling witch to the informant is not specific against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Daudnagar, Aurangabad in Goh P. S. case no. 114/2017 subject to condition as laid down under section 438(2) of the Cr.P.C.

shahid

(Hemant Kumar Srivastava,J)

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