

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58203 of 2018

Arising Out of P.S. Case No.-50 Year-2018 Thana- ANTI District- Gaya

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1. Mrityunjay Prajapati, Son of Sugga Prajapati.
 2. Rajesh Prajapati, Son of Sugga Prajapati.
 3. Mukesh Prajapati, Son of Sugga Prajapati.
 4. Awadhesh Prajapati, Son of Sugga Prajapati.
 5. Arunjay Prajapati, Son of Sugga Prajapati.

All resident of Village- Korap, P.S.- Anti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 14-12-2018

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

2. The petitioners apprehend arrest in connection with
Anti P.S. Case No. 50 of 2018 dated 08.07.2018 instituted under
Sections 147/148/149/447/448/341/323/354/504/506 of the Indian
Penal Code and Section 3/4 of The Prevention of Witch Practices
Act, 1999.



3. The allegation against the petitioners and four others is of assault and also of calling the informant '*Daain*' holding her responsible for the death of the young child of the petitioner no. 1.

4. Learned counsel for the petitioners submitted that they are neighbours and there is dispute relating to the passage between the two families, due to which earlier also the petitioners' side had filed an informatory petition before the Senior Superintendent of Police, Gaya and the local SHO in the year 2012. It was submitted that the matter was once compromised also between the parties and then again it has been raked up.

5. Learned A.P.P. submitted that the petitioners, despite having compromised the matter earlier, again assaulted the informant which shows that they do not have any respect for the law and further that it is quite believable that for the death of the young child of the petitioner no. 1, they had held the informant responsible by calling her a witch.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



A.C.J.M.-VII, Gaya in Anti P.S. Case No. 50 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J.)

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