

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50611 of 2018

Arising Out of PS.Case No. -155 Year- 2018 Thana -GAYA MUFFSIL District- GAYA

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1. Madho Manjhi @ Machhu Manjhi son of Late Vanshi Manjhi
2. Chhatis Manjhi, son of Madho Manjhi
3. Lalan Manjhi son of Madho Manjhi All resident of Village- Gopalnagar Goga, Police Station- Muffasil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302/34 of the Indian Penal Code and Sections-3/4 of Prevention of Witch Practices Act.

The prosecution case, in brief, is that mother of the informant was killed by accused persons in apprehension of being a witch.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused in the present case merely on the basis of suspicion. Except for suspicion, there is no other



substantial evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence. No specific overt act has been attributed against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 155 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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