

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5046 of 2019

Arising Out of PS. Case No.-938 Year-2016 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Gorelal Bhagat, Son of Shiv Charan Das @ Hiranman @Hiranman Ravidas
Resident of Village-Madhadih Panchawat Farka Kuzunda, P.S.- Rajauli,
District-Nawada

... .. Petitioner/s

Versus

1. The State of Bihar and Anr Bihar
2. Urmila Devi Arjun Ravidas Resident of Village- Masai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 354B and 380/34 of the IPC and Sections 3/4 of the Prevention of Witch (Daain) Practices, Act.

The prosecution case, as per the complaint petition, filed by Urmila Devi, is to the effect that on 28.08.2016, at about 8 A.M., all the accused persons including the petitioner, entered into the house of the complainant and addressed her as a witch. It is specifically alleged that co-accused Rajendra Ravidas and



Pappu Ravidas caught hold the complainant when co-accused Subodh Kumar started pulling her saree, as a result of which, she became semi-naked and dragged her from the house and when the son and husband of the daughter of the complainant came to rescue her, then they were also assaulted. It is alleged against the petitioner that he assaulted the son of the complainant, Karu. The accused persons also took away jewellery, worth Rs. 32,000/-.

It is submitted by learned counsel for the petitioner that no injury has been caused to the complainant. The accusation of committing theft or outraging modesty of the complainant has not been alleged against the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that after finding prima facie case, cognizance has been taken against the petitioner.

Considering the nature of accusation and the fact that accusation of outraging the modesty of the complainant and committing theft has not been alleged against the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in



the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Nawada in connection with Complaint Case No. 938 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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