

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26426 of 2019

Arising Out of PS. Case No.-405 Year-2018 Thana- DUMRA District- Sitamarhi

BINOD RAM Wife of Ram Chandar Ram Resident of Village - Dhobauli,
P.S.- Dumra, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-04-2019 Heard both sides.

The petitioner apprehends his arrest in Dumra P.S.
Case No.405 of 2018 registered under Sections 302, 120(B) and
34 of the Indian Penal Code.

The informant, mother of the deceased, alleged that
one brother-in-law of the deceased did not have any issue and
son of another brother-in-law of the deceased died but both
brothers-in-law of the deceased had apprehension that daughter
of the informant practiced witchcraft causing death of son of
one of the brother-in-law of the deceased. Both the brothers-in-
law of the deceased called the petitioner, Binod Ram and Harjit
Paswan to pacify the evil soul after practicing witchcraft but the
petitioner and Harjit Paswan asked other family members of the
deceased that the deceased has to be sacrificed only then evil



soul shall remain in peace and on such, the daughter of the informant was killed by cutting her throat.

The learned counsel for the petitioner submits that the occurrence is said to have taken place on 08.10.2018. The petitioner was called on 07.10.2018. Petitioner was not even present on the date of occurrence but from perusal of the F.I.R. itself, it appears that petitioner and Harjit Paswan are called to pacify the evil soul by practicing witchcraft and petitioner made other family members of the deceased believed that only if the life of the deceased was sacrificed, the evil soul may be pacified. In consequence thereof, neck of the deceased was cut by her family members.

Taking into consideration the facts aforesaid and the role played by the petitioner in persuading the family members of the deceased to get her sacrificed and killed her, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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