

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29060 of 2019

Arising Out of Case No.-1316 Year-2018 COMPLAINT CASE District- Araria

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1. SHAMSUL Son of Late Tazmul Resident of Village-Majgama, P.S-Mahalgaon, District-Araria.
 2. Mohsin Son of Shamsul Resident of Village-Majgama, P.S-Mahalgaon, District-Araria.
 3. Bibi Shahzahan Wife of Mohsin Resident of Village-Majgama, P.S-Mahalgaon, District-Araria.
 4. Gulzahan Daughter of Mohsin Resident of Village-Majgama, P.S-Mahalgaon, District-Araria.
 5. Bibi Jannati Daughter of Shamsul Resident of Village-Majgama, P.S-Mahalgaon, District-Araria.
 6. Muzaffar Son of Mahmood Resident of Village-Chainpur, P.S-Mahalgaon, District-Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibi Rahmati Wife of Md. Taslim Resident of Village-Majgama, P.S-Mahalgaon, District-Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-05-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint case No. 1316-C/ 2018 registered under Section 147, 324, 504 of the IPC and u/s 3/4 of Prevention of Witch Practices Act.

The learned counsel for the petitioners submits that the complainant made allegation that all the accused persons dragged her outside her house, assaulted her and they were making allegation that complainant is a witch.

The learned counsel for the petitioners submits that petitioners are next door neighbours of the complainant. The complainant herself did not disclose the facts of stripping her



clothes during her investigation at the enquiry stage. No prima facie case u/s 354 of the IPC was found to proceed against the petitioners. Some verbal altercation took place and for that the complainant lodged the case without giving any information to the police.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that petitioners are co-villagers of the complainant, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashish Ranjan, learned Judicial Magistrate, Araria in connection with Complaint case No. 1316-C/ 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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